

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

* * *

HOBART CORPORATION, et al. ,

Plaintiffs,

vs. CASE NO. 3:13-cv-00115-WHR

THE DAYTON POWER AND

LIGHT COMPANY, et al. ,

Defendants.

* * *

Deposition of EDWARD L. JENKINS, Witness

herein, called by the Plaintiffs for

cross-examination pursuant to the Rules of Civil

Procedure, taken before me, Michelle A. Elam, a

Notary Public in and for the State of Ohio, at the

offices of Han, Loeser + Parks, LLP, 65 East State

Street, Suite 1400, Columbus, Ohio, on Wednesday,

the 11th day of September, 2013, at 1:01 p.m.

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1 APPEARANCES:

2 On behalf of the Plaintiffs:

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7 On behalf of the Defendant The Dayton Power
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12 On behalf of the Defendant Cox Media Group
13 Ohio, Inc. :

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18 On behalf of the Defendant Franklin Iron &
19 Metal Corporation:

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1 APPEARANCES: (Cont'd.)

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18 On behalf of the Defendant Waste Management of
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On behalf of the Defendant P-Americas, LLC:

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ALSO PRESENT:

Malcolm Winne

* * *

10:03:47 1 EDWARD L. JENKINS
10:03:47 2 of lawful age, Witness herein, having been first
3 duly cautioned and sworn, as hereinafter
4 certified, was examined and said as follows:

5 CROSS-EXAMINATION

13:01:49 6 BY MR. SILVER:

13:01:49 7 Q. Mr. Jenkins , can you give us your
13:01:52 8 full name , please ?

13:01:53 9 A. Edward -- I go by Edward L.
13:01:57 10 Jenkins . Middle name was Louis , L O U I S .

13:02:01 11 Q. Thank you . And what is your date
13:02:03 12 of birth ?

13:02:04 13 A. February the 28th , 1936 .

13:02:07 14 Q. Okay . Thank you . Have you --

13:02:10 15 MR. HARBECK: This is Bill Harbeck .
13:02:12 16 Is it possible to move the microphone a little
13:02:15 17 closer ? It's kind of breaking in and out .

13:02:19 18 MR. SILVER: Yeah , we're going to put
13:02:21 19 it in front of him .

13:02:23 20 MR. HARBECK: Okay. Thank you .

13:02:24 21 MR. SILVER: Let us know if that's
13:02:26 22 better .

13:02:26 23 Q. Ed -- should I call you Ed or
13:02:29 24 Mr. Jenkins ?

13:02:29 25 A. Either way .

13:02:30 1 Q. Have you ever had anything like
13:02:32 2 this before , it's called a deposition , where
13:02:35 3 you've been called into an office and asked
13:02:37 4 questions on the record ?

13:02:42 5 A. No. I was divorced . I had to go
13:02:45 6 through that . I had about three attorneys in
13:02:47 7 the room at one time .

13:02:48 8 Q. Three too many . Okay . Well , the
13:02:53 9 way this process works is it's really a
13:02:56 10 question -and-answer session . I'm going to ask
13:03:04 11 you a series of questions , mainly about your
13:03:07 12 work over the years at The Dayton Power and
13:03:10 13 Light Company .

13:03:10 14 The case is about an environmental
13:03:14 15 cleanup next door to The Dayton Power and Light
13:03:18 16 Company . And I represent some companies that are
13:03:22 17 performing the cleanup and paying for it so far ,
13:03:26 18 at least the study of the site , and they're
13:03:30 19 looking for help from other companies to
13:03:32 20 contribute and those companies don't believe
13:03:35 21 they're responsible and are -- and we're in
13:03:39 22 litigation over that .

13:03:43 23 The -- a couple of things that are
13:03:46 24 important for you to understand . I think it
13:03:48 25 shouldn't be a problem for you . I'm going to --

13:03:51 1 if you don't know the answer to a question that I
13:03:54 2 ask you, it's not a test, feel free to say I don't
13:03:58 3 know or I don't remember. If you do know the
13:04:00 4 answer, go ahead and answer it. There's no right
13:04:06 5 answers or wrong answers. If you don't understand
13:04:10 6 the question, just let me know and I'll try to
13:04:15 7 rephrase it.

13:04:16 8 A. Okay.

13:04:16 9 Q. If you don't hear the question and
13:04:18 10 you want me to repeat it, I'm happy to do that.
13:04:21 11 You may hear some objections from other lawyers
13:04:24 12 along the way. We'll try to work out those
13:04:28 13 objections or preserve them for future
13:04:32 14 discussion. But I'm going to go ahead and just
13:04:36 15 tell you you can answer now. If we can't work
13:04:40 16 something out, we'll let you know.

13:04:43 17 After I ask questions, other lawyers
13:04:46 18 may ask some questions as well in the room or even
13:04:49 19 on the phone. We'll try to get through this as
13:04:53 20 quickly as possible. We know that this is not --
13:04:55 21 that this is an inconvenience for you. Also, if
13:04:58 22 you need a break for any reason, just rest or
13:05:00 23 comfort, let us know and we will be happy to
13:05:04 24 accommodate you.

13:05:06 25 A. Okay.

13:05:06 1 Q. So I'm going to start by asking
13:05:08 2 you some questions about your background . Can
13:05:11 3 you just give your -- I don't know if you have
13:05:14 4 already . Give your address for the record .

13:05:19 5 A. 2017 Aurora Avenue , Lewis Center ,
13:05:23 6 Ohio .

13:05:23 7 Q. Were you born in Ohio ?

13:05:25 8 A. Yes .

13:05:26 9 Q. What part ?

13:05:27 10 A. Dayton , Ohio .

13:05:30 11 Q. And you lived in the Dayton area
13:05:34 12 for most of your life ; is that right ?

13:05:36 13 A. Yes , and surrounding areas . My
13:05:42 14 first wife and I , we lived in Englewood , Ohio ,
13:05:45 15 which is north of Dayton . Got divorced and
13:05:51 16 then I lived there a total of sixteen years .

13:05:57 17 MR. HARBECK: Larry , again , this is
13:06:00 18 Bill Harbeck . I'm having a little trouble
13:06:02 19 hearing . I don't know if it's like shuffling of
13:06:05 20 papers . And the witness is still fading in and
13:06:07 21 out . I don't know if people on the phone are not
13:06:11 22 on mute , and if they could do that , and if the
13:06:17 23 witness --

13:06:17 24 MR. SILVER: Bill , are you having
13:06:18 25 more trouble with hearing the witness or both of

13:06:21 1 us ?

13:06:21 2 MR. HARBECK: Sometimes you are
13:06:23 3 fraying in and out . I don't know if Eric on the
13:06:26 4 phone is having the same problem.

13:06:29 5 MS. BAIRD: This is Kay Dee. I'm on
13:06:31 6 the phone , and I'm having a hard time , too .

13:06:33 7 MR. SILVER: I'm going to try to
13:06:34 8 speak up . I've put the microphone right in front
13:06:37 9 of Mr. Jenkins . Let's see if that helps . And if
13:06:40 10 anyone needs to go on mute on the phone , that may
13:06:44 11 be helpful as well .

13:06:48 12 MR. HARBECK: That was crisp and
13:06:50 13 clear what you just said . So that was good .

13:06:52 14 Q. Okay . All right . Tell me just a
13:06:55 15 little bit about your schooling and any
13:06:58 16 training you've had before you began to work at
13:07:00 17 Dayton Power and Light .

13:07:03 18 A. Well , when I started Dayton Power
13:07:05 19 and Light , all I had was a high school
13:07:07 20 education . I started out as a service man and
13:07:11 21 was on a service truck for twelve years . Then
13:07:14 22 I went in the office in what they call the
13:07:18 23 plumbing inspection department . I went in as a
13:07:25 24 technical clerk , and I worked there for , I
13:07:27 25 don't know , five , six years . Then I was

13:07:33 1 promoted to supervisor over the plumbing
13:07:37 2 inspection department . And I was there for a
13:07:41 3 number of years . I don't know exactly . Then I
13:07:43 4 was transferred over to the gas meter and
13:07:47 5 measurement repair shop . I was a supervisor
13:07:51 6 over that .

13:07:51 7 Q. Okay . And that was your last job
13:07:54 8 with the DP&L ?

13:07:55 9 A. Yes .

13:07:56 10 Q. All right . We're going to go back
13:07:59 11 and try to take them one at a time . The first
13:08:05 12 twelve years was in service , service
13:08:07 13 department ?

13:08:07 14 A. Yes .

13:08:08 15 Q. What was your home base for that ?

13:08:11 16 A. Dryden Road .

13:08:12 17 Q. Dryden Road facility ?

13:08:14 18 A. Yes .

13:08:14 19 Q. Have you ever seen an aerial
13:08:18 20 photograph of the Dryden Road facility ?

13:08:20 21 A. Yes , I have , but it's been years
13:08:22 22 ago .

13:08:22 23 Q. Okay . We're going to mark an
13:08:41 24 exhibit , Exhibit 1 .

13:08:41 25 (Thereupon, Jenkins Exhibit Number 1

13:08:43 1 was marked for purposes of identification.)

13:08:43 2 Q. It's an aerial photo of the DP&L
13:09:01 3 service building on Dryden Road, and the court
13:09:05 4 reporter will put it in front of you in a
13:09:07 5 second .

13:09:46 6 (Pause in proceedings.)

13:09:46 7 Q. Okay . The court reporter has
13:09:48 8 placed Exhibit 1 in front of you , Mr. Jenkins .
13:09:51 9 Take a look at it. Let me know if you
13:09:54 10 recognize the aerial photograph you're looking
13:09:56 11 at .

13:09:57 12 A. Pretty much so , yes .

13:09:58 13 Q. Can you -- can you describe what
13:10:01 14 you're looking at?

13:10:02 15 A. Well , the large white building on
13:10:04 16 the right-hand side of Dryden Road is the
13:10:07 17 service building (indicating) . The parking lot
13:10:10 18 (indicating) . And then south of the building ,
13:10:11 19 which is the transportation garage
13:10:13 20 (indicating) .

13:10:13 21 Q. Is that the dark building at the
13:10:15 22 bottom of --

13:10:16 23 A. Right . Uh-huh .

13:10:17 24 Q. -- Exhibit 1? When you were doing
13:10:19 25 service work , where was your base at the

13:10:25 1 facility on Exhibit 1 that you're looking at?

13:10:29 2 A. Well, the office was in the front
13:10:32 3 of the building and the service vans were
13:10:35 4 parked some along the dock, the west dock, and
13:10:39 5 some of them were in the parking lot south of
13:10:43 6 the building.

13:10:43 7 Q. Uh-huh. Can you mark where your
13:10:45 8 office was with this red pen?

13:10:47 9 A. I don't know exactly what you
13:10:51 10 would say. I have no idea. I would say in
13:11:08 11 this area here (indicating).

13:11:10 12 Q. Why don't you just write
13:11:13 13 service -- would it be service office? What
13:11:15 14 would you want to call it?

13:11:16 15 A. I don't know.

13:11:17 16 Q. You can just put office.

13:11:21 17 A. You're not going to be able to
13:11:23 18 read my writing because I have a problem.

13:11:25 19 Q. Okay. Let me take a look. That's
13:11:30 20 not too bad.

13:11:32 21 A. These hands are -- or fingers are
13:11:36 22 numb from chemo.

13:11:38 23 Q. Okay. Understood. But that's
13:11:43 24 legible. I can read office there.

13:11:45 25 Okay. And that was your base during

13:11:47 1 the first twelve years at DP&L ?

13:11:51 2 A. Pretty much so , yes .

13:11:52 3 Q. And that would have been from 1958

13:12:00 4 till 1968 ?

13:12:02 5 A. 1955 .

13:12:03 6 Q. 1955 was your first year ?

13:12:05 7 A. Yes . October .

13:12:06 8 Q. Do you have an understanding of
13:12:13 9 when the DP&L service building was constructed ?

13:12:17 10 A. I was started out at the Dryden --
13:12:23 11 at the Monument Road , 409 East Monument , and I
13:12:30 12 was there for a year before I moved to Dryden
13:12:33 13 Road . So that made it '6 .

13:12:36 14 Q. 1956 . Right .

13:12:38 15 A. 1956 . Yes .

13:12:39 16 Q. And did -- was the Dryden Road
13:12:41 17 facility under construction when you were on
13:12:43 18 Monument Road ?

13:12:44 19 A. Yes . And it was finished up --
13:12:51 20 well , it wasn't really finished up until
13:12:55 21 probably the end of the year of '6 .

13:12:57 22 Q. So you moved into a new building ?

13:12:58 23 A. Right .

13:12:59 24 Q. So then for the next eleven years
13:13:06 25 or so , you were in the service department ?

13:13:07 1 A. Yes .

13:13:08 2 Q. And describe what you did in the
13:13:10 3 service department .

13:13:14 4 A. DP&L sold appliances , furnaces ,
13:13:18 5 water heaters , dryers , ranges , incinerators ,
13:13:24 6 water heaters , light bulbs , refrigerators . And
13:13:37 7 as a service man , I went out and service d those .

13:13:40 8 Q. So you're on the road quite a bit ?

13:13:42 9 A. Yes . We had three shifts . And we
13:13:45 10 rotated shifts .

13:13:46 11 Q. What was the length of your shift ?

13:13:48 12 A. Eight hours .

13:13:49 13 Q. Uh-huh . And you used DP&L service
13:13:54 14 trucks ?

13:13:54 15 A. Yes . It was a van , small van .

13:13:57 16 Q. Then would you start off -- when
13:14:04 17 you were working Dryden Road in service , did
13:14:06 18 you start off at Dryden Road , pick up your van ,
13:14:10 19 and then come back at the end of your shift ?

13:14:12 20 A. Yes .

13:14:12 21 Q. Then go home ?

13:14:13 22 A. Yes .

13:14:14 23 Q. Then what was your next -- next
13:14:17 24 position ? I believe you mentioned plumbing .

13:14:20 25 A. Plumbing inspections .

13:14:22 1 Q. Okay . Now , sticking with the
13:14:24 2 exhibit in front of you , can you write where
13:14:28 3 you worked in plumbing ? Can you show me where
13:14:32 4 you worked in plumbing inspection ?

13:14:33 5 A. It was just down the hall from the
13:14:35 6 office (indicating).

13:14:36 7 Q. Okay . All right y.

13:14:42 8 A. So put an X there and put
13:14:45 9 inspection ?

13:14:46 10 Q. Go ahead .

13:14:48 11 A. I don't know . (Witness complies
13:14:50 12 with request.)

13:14:50 13 Q. And how long were you in plumbing
13:14:52 14 inspection , to the best of your recollection ?

13:14:57 15 A. I was in inspection from there
13:15:10 16 until they reorganize d, and I don't know what
13:15:13 17 year that was .

13:15:14 18 Q. Was the reorganization -- did that
13:15:19 19 have anything to do with the refurbishing of
13:15:24 20 the service building ?

13:15:24 21 A. That was part of it, yes .

13:15:26 22 Q. And you're uncertain as to -- as
13:15:29 23 to the date that that happened ?

13:15:31 24 A. No, I don't know exactly . No .

13:15:32 25 Q. Okay . And describe for us what

13:15:41 1 you did in plumbing inspection .

13:15:48 2 A. We had -- I think there was eight
13:15:50 3 inspectors . Then they had what they called a
13:15:54 4 service man that also did inspections . What
13:15:59 5 they did , they go out -- customer would put a
13:16:02 6 new line in and the plumber had to put a test
13:16:05 7 on it and we went out and looked at it and made
13:16:08 8 sure it was the right depth , the right fittings
13:16:12 9 used , and it passed the test , pressure test .

13:16:16 10 Q. Was your role going out doing the
13:16:23 11 inspections ?

13:16:23 12 A. No .

13:16:24 13 Q. Go ahead . Tell us what that was .

13:16:26 14 A. I was in the office . I'd set up
13:16:29 15 the work for the next day . And in the evening ,
13:16:31 16 when they would bring the paperwork in , I would
13:16:35 17 look at it and make sure they filled it out
13:16:37 18 properly and everything because the next step
13:16:39 19 was I sent it to the service department with a
13:16:41 20 meter order and they set up a new gas meter .

13:16:45 21 Q. Why would they need a new gas
13:16:48 22 meter ?

13:16:48 23 A. New house .

13:16:49 24 Q. I see . This is for new
13:16:51 25 construction ?

13:16:51 1 A. Right . Uh-huh . Well , it would be
13:16:54 2 for when they run into the old areas and put
13:16:57 3 new service into the houses . It was same
13:17:05 4 thing .

13:17:05 5 Q. So for the first twelve years at
13:17:07 6 DP&L , were you pretty much based at Dryden
13:17:11 7 Road , at least eleven of the first twelve years
13:17:14 8 doing service . And then the next period of
13:17:17 9 time you were in the office at Dryden Road.

13:17:19 10 A. Right . Well , the rest of the time
13:17:21 11 I was at Dayton Power and Light . I was --
13:17:28 12 what , twenty-two years , thirty-two years .

13:17:30 13 Q. Thirty-two years after the
13:17:32 14 service ?

13:17:32 15 A. Yes . I was in the office the
13:17:35 16 whole time for that .

13:17:35 17 Q. So from about 1968 until you
13:17:39 18 retired , you stayed at the Dryden Road facility
13:17:44 19 and worked in --

13:17:45 20 A. Yes .

13:17:46 21 Q. -- one office or another ?

13:17:47 22 A. Yes .

13:17:48 23 Q. And you retired what year ?

13:17:49 24 A. Fifteen years ago . What is it ,
13:17:58 25 '98 .

13:17:58 1 Q. 1998 .

13:18:00 2 A. September the 1st, '98 .

13:18:02 3 Q. Now , after your time in the
13:18:08 4 plumbing inspection -- well , let me ask it this
13:18:15 5 way . Does the word dispatch mean anything to
13:18:18 6 you ?

13:18:18 7 A. I did a short-term of dispatch .

13:18:21 8 Q. And what -- what department or
13:18:24 9 group was that ?

13:18:25 10 A. That was the service department .

13:18:27 11 Q. Was that before plumbing or after ?

13:18:29 12 A. Between . What happened was , there
13:18:34 13 was three of us in the office and one of the
13:18:38 14 dispatch ers took sick leave and they asked me
13:18:43 15 to fill in for , I think , it was four or five
13:18:49 16 months while he was off sick .

13:18:51 17 Q. Uh-huh . And I think it sounds
13:18:56 18 like what it is , but can you just describe very
13:18:59 19 briefly what dispatch did ?

13:19:02 20 A. We had an office where the women
13:19:08 21 took the calls from customers , they wrote up a
13:19:11 22 DO , sent it to the dispatcher , the dispatcher
13:19:14 23 dispatched it to the service men in the trucks ,
13:19:18 24 and they went on the calls .

13:19:19 25 Q. And a DO would be a dispatch

13:19:22 1 order ?

13:19:22 2 A. I don't know if they called it
13:19:27 3 dispatch order or not . It was a work order .

13:19:30 4 Q. Got it . And then after dispatch ,
13:19:38 5 did you return to the service department ?

13:19:40 6 A. No . I returned to the inspection
13:19:41 7 department . I was on loan , just for a short
13:19:46 8 period of time .

13:19:46 9 Q. On loan from plumbing inspection ,
13:19:49 10 you went to dispatch , and then returned ?

13:19:52 11 A. Yes .

13:19:52 12 Q. And then what happened -- where
13:19:55 13 did you work after plumbing inspection ? You
13:19:57 14 mentioned something about gas operations ?

13:20:01 15 A. They moved the inspection
13:20:03 16 department from the service department to gas
13:20:08 17 engineering and that's when I was promoted to
13:20:12 18 supervisor .

13:20:13 19 Q. And you were the supervisor of
13:20:15 20 what ?

13:20:16 21 A. The plumbing inspection .

13:20:17 22 Q. Okay . So you became the
13:20:20 23 supervisor of plumbing inspection , which was
13:20:22 24 now under the gas engineering department ?

13:20:27 25 A. Right . Yes .

13:20:28 1 Q. And where were you located when
13:20:30 2 you were supervisor of plumbing inspection ?

13:20:33 3 A. In the same building , just up in
13:20:36 4 this corner up here someplace (indicating) .

13:20:40 5 Q. And why don't you put
13:20:43 6 supervisor /plumbing next to maybe a circle .

13:20:47 7 A. (Witness complies with request.)

13:20:55 8 Q. And how long were you the
13:20:58 9 supervisor of plumbing inspection ?

13:20:59 10 A. I don't know . Eight to ten years .

13:21:08 11 Q. Another eight to --

13:21:09 12 A. No . The last years I worked at
13:21:16 13 Dayton Power and Light were in the gas meter
13:21:18 14 and measurement .

13:21:19 15 Q. So your last stint was in gas
13:21:21 16 meter and measurement ?

13:21:22 17 A. Yes .

13:21:23 18 Q. So if you work backwards , what
13:21:25 19 would you say you were -- did you say eight to
13:21:28 20 ten years ?

13:21:28 21 A. Yes .

13:21:29 22 Q. Is that an approximation ?

13:21:30 23 A. Approximate , yes .

13:21:33 24 Q. Could it have been more ?

13:21:36 25 A. No . It was a year that they

13:21:38 1 reorganize d and went to service centers , and I
13:21:41 2 couldn't tell you when that is . I have no
13:21:44 3 idea .

13:21:44 4 Q. Tell me a little bit about the
13:21:46 5 service centers . How did that work ?

13:21:48 6 A. Well , basically they just took so
13:21:52 7 many people out of each department and put them
13:21:54 8 in a certain area and that was their
13:21:56 9 responsibility to take care of that area .

13:21:58 10 Q. That was a service area in and
13:22:01 11 around Dayton ?

13:22:01 12 A. Yes . It was around Dayton .

13:22:03 13 Q. And how many service centers were
13:22:05 14 there?

13:22:05 15 A. I have no idea .

13:22:06 16 Q. Okay . So then it looks like at
13:22:08 17 some point , after you were supervisor of
13:22:15 18 plumbing inspection in the gas engineering
13:22:17 19 department , you moved over to gas meter and
13:22:19 20 measurements ?

13:22:20 21 A. Yes .

13:22:20 22 Q. And when you went to gas meter and
13:22:25 23 measurement s , that was a different department ?

13:22:27 24 A. Yes .

13:22:27 25 Q. Were you immediately the

13:22:32 1 supervisor there?

13:22:33 2 A. Yes .

13:22:33 3 Q. And that was your last , you said
13:22:36 4 eight to ten years ?

13:22:37 5 A. Yes .

13:22:38 6 Q. It could have been as much as
13:22:41 7 fifteen ?

13:22:42 8 A. Could have been .

13:22:43 9 Q. Okay . I just wanted to --

13:22:45 10 A. It's been a while .

13:22:46 11 Q. I understand . I just wanted to --

13:22:49 12 A. It could have been .

13:22:51 13 Q. I'm just comparing notes . That's
13:22:53 14 all .

13:22:53 15 A. Okay .

13:22:54 16 Q. Okay . Now , tell us what gas

13:22:59 17 meter -- the gas meter and measurements

13:23:02 18 department , what work that department

13:23:05 19 performed .

13:23:11 20 A. Well , all the gas meters that came
13:23:13 21 into the company new were tested for accuracy ,
13:23:18 22 plus any meters , large or small , commercial or
13:23:23 23 industrial or residential , came back to that
13:23:27 24 department and they were tested again for
13:23:29 25 accuracy . And most of the residential meters

13:23:36 1 that were like twenty , twenty-five years old
13:23:39 2 were disposed of . Any newer than that , we
13:23:43 3 tested them and reported them and put them back
13:23:47 4 in service . That was the meter part of it .

13:23:49 5 Then we had the measurement which
13:23:52 6 tested part -- that was another section of the
13:23:56 7 gas meter measurement , which was -- we took
13:24:03 8 care of a lot of the commercial / industrial
13:24:07 9 customers . Large meters , you put a unit on
13:24:10 10 them that would tell , you know -- they -- the
13:24:16 11 instrument would check the pressure going
13:24:18 12 through the meter plus the temperature . And if
13:24:22 13 you know anything about it , the gas pressure --
13:24:27 14 or the gas pressure increase , plus the
13:24:30 15 temperature , the gas would fluctuate how much
13:24:33 16 going through the meter . And all that
13:24:36 17 instrument did was tell us -- it corrected
13:24:39 18 everything and we had that information .

13:24:42 19 Q. Uh-huh . How many -- when you
13:24:45 20 became -- first became supervisor of gas meter
13:24:49 21 and measurements , how many DP&L employees were
13:24:55 22 in that department ?

13:24:56 23 A. I think there was seventeen , but
13:25:06 24 I'm not -- I don't remember exactly .

13:25:08 25 Q. Did that divide among meter and

13:25:11 1 measurement ?

13:25:11 2 A. Well , no . Most of them were in
13:25:14 3 meter repair . But then they had the
13:25:22 4 opportunity to go to the service center closer
13:25:24 5 to home if they wanted to and take a job there .

13:25:27 6 Q. Now , how were meters selected for
13:25:30 7 being brought back into the service building ?

13:25:33 8 A. Periodic .

13:25:34 9 Q. And they were brought in for
13:25:38 10 inspection or replacement ; is that right ?

13:25:40 11 A. They were replaced and the
13:25:43 12 meters -- the old meters that came in were
13:25:46 13 tested for accuracy .

13:25:48 14 Q. And you mentioned if they were
13:25:54 15 twenty to twenty-five years old , they would be
13:25:58 16 discarded ?

13:25:58 17 A. Most of the time , yes .

13:25:59 18 Q. How were they discarded ?

13:26:02 19 A. We had three different companies
13:26:05 20 that bought the old used meters from us . We
13:26:11 21 put them in baskets and they'd come pick them
13:26:14 22 up and --

13:26:15 23 Q. Do you know whether that was the
13:26:17 24 case before you became the supervisor of the
13:26:20 25 department ?

13:26:21 1 A. It just started when I went to the
13:26:26 2 meter shop .

13:26:27 3 Q. And what happened before that ?

13:26:29 4 A. I couldn't tell you . I don't
13:26:32 5 know .

13:26:32 6 Q. Now , meter repair -- you said most
13:26:39 7 of the employees were in meter repair . What
13:26:41 8 did meter repair consist of ?

13:26:43 9 A. Well , you have to know the meter .
13:26:49 10 It's put together with screws . It has the die
13:26:52 11 frames in it . It has valves to regulate the
13:26:55 12 flow of gas . And if they didn't pass the test ,
13:27:00 13 then the repair men tore them down and replaced
13:27:04 14 new parts and everything and then they were
13:27:06 15 tested back and some of them went back in
13:27:08 16 service .

13:27:08 17 Q. Was there any kind of a cleaning
13:27:10 18 function when they were torn down and parts
13:27:14 19 replaced ?

13:27:15 20 A. There was some kind of a cleaning
13:27:21 21 solution , yes .

13:27:22 22 Q. What was that ?

13:27:23 23 A. I couldn't tell you right now . I
13:27:24 24 don't remember .

13:27:24 25 Q. And that was the case while you

13:27:36 1 were supervisor , there was some kind of
13:27:39 2 cleaning solution to clean the --

13:27:41 3 A. Yes .

13:27:41 4 Q. Let me finish -- to clean meters
13:27:44 5 that were broke n down for repair ?

13:27:45 6 A. Yes .

13:28:33 7 MR. SILVER: I'm going to mark this
13:28:35 8 Jenkins Exhibit Number 2.

13:28:35 9 (Thereupon, Jenkins Exhibit Number 2
13:29:03 10 was marked for purposes of identification.)

13:29:03 11 Q. Mr. Jenkins , this is a document
13:29:05 12 that was provided to us by Dayton Power and
13:29:09 13 Light . As you can see with the number at the
13:29:12 14 bottom , DP&L0003818 . Can you take just a
13:29:18 15 moment to read -- read the document ? I'm going
13:29:21 16 to ask you some questions about it .

13:29:23 17 (Pause in proceedings.)

13:29:35 18 MR. HARBECK: Larry , this is Bill . I
13:29:37 19 couldn't hear some of that . Did you mark another
13:29:40 20 exhibit ?

13:29:41 21 MR. SILVER: Yeah . Bill , we marked
13:29:42 22 Exhibit 2 , which it's got a Bates number of
13:29:46 23 DP&L 3818 . And -- well , I'm going to let
13:29:54 24 Mr. Jenkins read it through . Then I'm going to
13:29:56 25 start asking him some questions about it .

13:30:00 1 (Pause in proceedings.)

13:30:59 2 Q. Ready ?

13:30:59 3 A. I guess .

13:31:00 4 Q. Ready as you'll ever be?

13:31:02 5 A. Yep .

13:31:03 6 Q. Just to get some names , I see that

13:31:06 7 the -- you see at the top of the document ,

13:31:10 8 there's a -- it says to and the first name , I

13:31:15 9 believe , is Gary Finni , F I N N I. Do you see

13:31:19 10 that name ?

13:31:20 11 A. I do .

13:31:20 12 Q. Is that a name familiar to you ?

13:31:22 13 A. You know , I don't remember . It

13:31:25 14 sounds familiar , but I don't --

13:31:28 15 Q. Okay . No problem . And then the

13:31:31 16 next name under this , you see a Bill --

13:31:34 17 A. Peters .

13:31:34 18 Q. Bill Peters . Are you familiar

13:31:37 19 with Bill Peters ?

13:31:38 20 A. Yes .

13:31:39 21 Q. And who was Bill Pete rs?

13:31:41 22 A. He was over the meter shop . He

13:31:43 23 was supervisor over the meter shop before I

13:31:46 24 took over .

13:31:47 25 Q. Okay . Then you see a name

13:31:51 1 under -- below Bill Peters , Kinter, K I N T E R.

13:31:57 2 Then it looks like --

13:31:58 3 A. Hutzell .

13:31:59 4 Q. Are those names familiar to you ,
13:32:05 5 Kinter and Hutzell ?

13:32:07 6 A. Kinter was in charge of the
13:32:09 7 transformer shop for a while before he left the
13:32:12 8 company .

13:32:12 9 Q. Is Mr. Kinter still alive ?

13:32:14 10 A. I have no idea .

13:32:15 11 Q. Do you know how long -- when he
13:32:19 12 started working at DP&L ?

13:32:21 13 A. No, I don't .

13:32:22 14 Q. Did you overlap Mr. Kinter for a
13:32:25 15 period of time ?

13:32:25 16 A. What do you mean overlap ?

13:32:29 17 Q. In terms of your employment . Did
13:32:31 18 you work with him at -- were you both working
13:32:33 19 at DP&L for a period of time ?

13:32:35 20 A. Yes . We were both together at the
13:32:38 21 same time . But he left long before I did .

13:32:41 22 Q. Okay . And Mr. Hut zell ?

13:32:43 23 A. Yes .

13:32:43 24 Q. Who is Mr. Hut zell ?

13:32:46 25 A. He was in charge of electric meter

13:32:50 1 service men that went out and installed meters
13:32:53 2 and everything .

13:32:53 3 Q. Is that part of meter and
13:32:57 4 measurement -- gas meter and measurement ?

13:32:59 5 A. No . That was electric meter .

13:33:01 6 Q. That's a separate department ?

13:33:02 7 A. Yes .

13:33:03 8 Q. And CK, does that mean anything to
13:33:07 9 you? Oh, Clarence Kerns , do you see that name ,
13:33:10 10 the one that's a printed name rather than
13:33:14 11 handwritten ?

13:33:15 12 A. Yes .

13:33:16 13 Q. Who was Clarence Kerns ?

13:33:17 14 A. He was manager over tech service .

13:33:19 15 Q. And what was tech service ?

13:33:21 16 A. It was test department , electric
13:33:29 17 meter , gas meter , transformer shop . I'm not
13:33:43 18 sure . That's the ones I can remember .

13:33:45 19 Q. Do you understand , it looks as if
13:33:49 20 this is a -- do you see that there's a request
13:33:53 21 here for the preparation of a list of materials
13:33:57 22 that might be harmful ? Do you see that in the
13:34:00 23 first paragraph ?

13:34:01 24 A. Yes , I do .

13:34:02 25 Q. Now , then you see a circle to

13:34:08 1 the -- a little more than halfway down the page
13:34:12 2 to the left where it says Area D-89 .

13:34:16 3 A. Yeah .

13:34:16 4 Q. Can you --

13:34:17 5 A. 089.

13:34:18 6 Q. Oh, I'm sorry . Can you identify
13:34:21 7 what that is for me?

13:34:23 8 A. That was an area number that was
13:34:24 9 charge d to the gas meter shop . If you had
13:34:32 10 tools , that was your prefix and then you had
13:34:35 11 your number of what you charge d their tools to ,
13:34:40 12 what you charge d the new meters to . Meter
13:34:42 13 repair . Then there was four digits after that .
13:34:46 14 And right now I couldn't tell you any of them .

13:34:48 15 Q. Okay . So when charging items to
13:34:52 16 gas meter , it would -- do I understand what
13:34:55 17 you're saying correctly that they were
13:34:59 18 charge d -- their charge number was 089?

13:35:02 19 A. Yes .

13:35:02 20 Q. And then you see the phrase gas
13:35:05 21 meter right below that ?

13:35:07 22 A. Yes .

13:35:09 23 Q. Then do you see a list of eleven
13:35:13 24 different items numbered , list ed just below
13:35:20 25 that ?

13:35:21 1 A. Yes .

13:35:22 2 Q. Do you understand whether or not
13:35:27 3 those -- that list of items pertains to
13:35:34 4 materials used in the gas -- in gas meter ?

13:35:38 5 A. Hand soap , hand cleaners , Bee Bop,
13:35:56 6 Pipe Dope . And I don't know what you're
13:36:03 7 referring to as far as flammable retardant --
13:36:08 8 or repellant . I don't know what you're asking
13:36:10 9 for there .

13:36:11 10 Q. Okay . Well , let me --

13:36:13 11 A. We had fire extinguishers on all
13:36:17 12 the trucks and we had them in the shop and
13:36:19 13 everything .

13:36:19 14 Q. Uh-huh . Well , I think I'd like to
13:36:22 15 go through the list and ask you if you have an
13:36:24 16 understanding as to how the gas meter shop used
13:36:29 17 each of these items . Why don't we start with
13:36:33 18 mineral spirits .

13:36:34 19 A. That was basically the solution we
13:36:38 20 used to clean meters . We didn't have anything
13:36:44 21 to do with paint thinner .

13:36:45 22 Q. Paint thinner wasn't used in the
13:36:48 23 gas meter ?

13:36:48 24 A. No . Not by me . Now , before me , I
13:36:52 25 don't know . Because when I took over , we quit

13:36:54 1 painting meters and everything before I took
13:36:58 2 anything over .

13:36:59 3 Q. Okay . Do you have an
13:37:01 4 understanding that prior to you becoming
13:37:02 5 supervisor , that meters were painted ?

13:37:05 6 A. Yes .

13:37:06 7 Q. And why was that ?

13:37:07 8 A. It was something that was always
13:37:09 9 done . Back as far as I can remember , we --
13:37:13 10 they painted meters .

13:37:14 11 Q. What color were they painted ?

13:37:17 12 A. Gray . Well , they were silver at
13:37:20 13 first for a number of years and then they went
13:37:22 14 to a gray paint .

13:37:23 15 Q. And then gun cleaner ?

13:37:25 16 A. We didn't use gun cleaner when I
13:37:31 17 was there . That was all done in the
13:37:33 18 transformer shop where they painted meters .

13:37:35 19 Q. Oh, meters were actually --

13:37:38 20 MR. HARBECK: This is Bill again .
13:37:40 21 You are -- the witness is fine , but you are kind
13:37:44 22 of fading in and out a little bit .

13:37:47 23 MR. SILVER: Thanks , Bill.

13:37:48 24 Q. Meters that were painted before
13:37:51 25 you became supervisor of gas meter were painted

13:37:57 1 in the transformer shop ?

13:37:58 2 A. They were painted in the meter

13:38:00 3 shop . And before I took over , because of the

13:38:03 4 paint shop in the -- in the transformer shop ,

13:38:08 5 they took all meters over there to be painted .

13:38:12 6 Q. So --

13:38:13 7 A. They took the painting away from

13:38:15 8 the gas meter department .

13:38:16 9 Q. Oh, so by the time you became

13:38:19 10 supervisor , painting left gas meter and went

13:38:21 11 over to the transformer shop which already had

13:38:23 12 a paint booth ; is that correct?

13:38:27 13 A. Yes . A large one .

13:38:28 14 Q. I'm going to go back to that . I

13:38:31 15 just want to ask you to put on the exhibit in

13:38:35 16 front of you , the aerial photograph , where the

13:38:42 17 gas meter shop was when you were supervisor .

13:38:58 18 A. I'm thinking , and I don't know for

13:39:00 19 sure , it was in that area here (indicating).

13:39:03 20 Q. Can you write gas meter next to

13:39:05 21 that ?

13:39:05 22 A. (Witness complies with request.)

13:39:11 23 Q. Now , did the gas meter shop move

13:39:14 24 around the building ? Was it in a different

13:39:17 25 location prior to when you were supervisor ?

13:39:19 1 A. Yes .

13:39:19 2 Q. Where was that ?

13:39:20 3 A. It was on the west end -- west
13:39:23 4 side of the building .

13:39:24 5 Q. Was it along the west dock ?

13:39:27 6 A. Yes .

13:39:27 7 Q. Can you put a -- maybe a circle
13:39:31 8 where the gas meter shop was before you became
13:39:34 9 supervisor ?

13:39:35 10 A. It's somewhere in this area
13:39:39 11 (indicating) . I don't know .

13:39:41 12 Q. And could you put next to that ,
13:39:48 13 early gas meter , something like that ?

13:39:53 14 A. (Witness complies with request.)

13:40:07 15 Q. And then transformer shop , has
13:40:10 16 that always been at the same place at DP&L ?

13:40:13 17 A. Yes .

13:40:13 18 Q. Can you put a T and then circle
13:40:16 19 the T or the transformer shop ?

13:40:18 20 A. A T?

13:40:20 21 Q. Yeah , T for transformer .

13:40:23 22 A. (Witness complies with request.)

13:40:23 23 Q. Just circle it .

13:40:25 24 A. (Witness complies with request.)

13:40:26 25 Q. Let the record reflect that he did

13:40:28 1 so. Everything he's putting down is in red ink
13:40:32 2 so far.

13:40:35 3 Okay. Now, I just want to go back to
13:40:38 4 that list of chemicals and -- I'm sorry -- the
13:40:42 5 list of materials, I don't think chemical was the
13:40:45 6 right term, and continue down the list. Gun
13:40:51 7 cleaner, I can't remember -- that's the one we
13:40:55 8 started talking about the transformer shop, but
13:40:57 9 let me ask you what you know about gun cleaner in
13:41:05 10 gas meter.

13:41:05 11 A. We didn't use any gun cleaner.

13:41:08 12 Q. Do you know if it was used prior
13:41:10 13 to your becoming supervisor?

13:41:13 14 A. No, I don't.

13:41:13 15 Q. Do you know if it was used
13:41:15 16 anywhere else?

13:41:16 17 A. Transformer shop, paint booth and
13:41:19 18 everything.

13:41:19 19 Q. That's where you think it was
13:41:20 20 used?

13:41:21 21 A. Yes.

13:41:21 22 Q. Okay. And do you know how gun
13:41:26 23 cleaner is used?

13:41:30 24 A. No, I don't. All I know is they
13:41:31 25 clean the spray guns, you know.

13:41:34 1 Q. The spray guns that sprayed the
13:41:39 2 paint ?

13:41:39 3 A. Yes .

13:41:39 4 Q. And those needed to be cleaned
13:41:41 5 from time to time ?

13:41:43 6 A. I would assume so, yes .

13:41:44 7 Q. And gun cleaner is what you used ?

13:41:47 8 A. Yes .

13:41:48 9 Q. Paint is number four . I take it
13:41:53 10 that the paint was used to paint meters when
13:41:57 11 meters were being painted .

13:41:58 12 A. Yes .

13:41:59 13 Q. And you said that all happened
13:42:00 14 prior to your position as supervisor of gas
13:42:04 15 meter ?

13:42:05 16 A. Yes .

13:42:05 17 Q. Any painting at all after you
13:42:07 18 became supervisor ?

13:42:08 19 A. No. We did no painting . They
13:42:10 20 took it away from us .

13:42:12 21 Q. Five is hand soap , six hand
13:42:16 22 cleaner . Did you have hand cleaner in gas
13:42:20 23 meter when you were supervisor ?

13:42:22 24 A. Yes .

13:42:22 25 Q. And what kind of hand cleaner did

13:42:24 1 you use ?

13:42:31 2 A. I have no idea . Violen or

13:42:33 3 something like that .

13:42:34 4 Q. That's what it looks like here .

13:42:36 5 And that was around when you were supervisor ?

13:42:38 6 A. Yes .

13:42:38 7 Q. And what is -- I've been waiting

13:42:40 8 to ask this question for a few days . What is

13:42:46 9 Bee Bopper ?

13:42:46 10 A. The meter settings , large

13:42:49 11 customers , they set out in rural areas . Some

13:42:54 12 of them were corn driver units that set out to

13:42:58 13 the highway and they had to -- a cover over

13:43:02 14 them and the guys would go out to work on them

13:43:06 15 or anything , they would run into these wasps or

13:43:11 16 something , and they used the Bee Bopper to kill

13:43:13 17 the wasps .

13:43:14 18 Q. Oh, okay . That's a great name .

13:43:17 19 That was number seven on the list on Exhibit 2.

13:43:22 20 A. Yeah .

13:43:22 21 Q. Eight , Aero-Kroil, A E R O, dash,

13:43:27 22 K R O I L. And it comes from Kano Labs in

13:43:31 23 Nashville , Texas . Do you recognize Aero-Kroil ?

13:43:39 24 A. That was some kind of -- what do I

13:43:51 25 want to say? It was a spray that was used to

13:43:54 1 free up bolts on large industrial meters when
13:43:58 2 they went out in the field.

13:44:00 3 Q. Would that have been used in the
13:44:02 4 meter shop as well ?

13:44:04 5 A. No, we didn't use any of that in
13:44:05 6 the meter shop .

13:44:06 7 Q. How did you get the rusted bolts
13:44:08 8 off in the meter shop ?

13:44:11 9 A. Pure strength . A lot of them that
13:44:14 10 had to be done were just discarded .

13:44:18 11 Q. Okay .

13:44:20 12 A. Yeah .

13:44:20 13 Q. And then number nine on Exhibit 2
13:44:25 14 is Pipe Dope . Why don't you give me a brief
13:44:31 15 description .

13:44:32 16 A. It's a sealer that they use when
13:44:34 17 they put the fittings on and everything for
13:44:36 18 meters . It wasn't used in the shop . It was
13:44:39 19 used out in the field when they set meters and
13:44:43 20 everything . Your residential meters have
13:44:46 21 swivels on them and to go into the pipe , you
13:44:48 22 use Pipe Dope , I guess , a sealer .

13:44:51 23 Q. And then number ten , it looks like
13:44:57 24 Halt, H A L T, animal repellants .

13:45:03 25 A. That was used by the people on the

13:45:12 1 outside , you know , a dog would come up and if
13:45:20 2 it was vicious or anything , they'd spray the
13:45:22 3 dog , keep from getting bit .

13:45:26 4 Q. The last one on the list is meter
13:45:28 5 oil .

13:45:29 6 A. Yeah .

13:45:29 7 Q. Was that used in the shop when you
13:45:34 8 were a supervisor ?

13:45:35 9 A. Some of it , yes .

13:45:36 10 Q. Just give me quickly how meter oil
13:45:40 11 was used .

13:45:42 12 A. Well , you have to know the whole
13:45:46 13 thing about the gas meter is a -- large
13:45:49 14 customers , they have impellers in there and
13:45:51 15 they rotate and you oil the ends and there's
13:45:59 16 a -- a chamber like that holds oil so that when
13:46:06 17 it's out in the field , you got the bearings
13:46:09 18 constantly oiled .

13:46:10 19 Q. Okay . All right . I want to show
13:46:15 20 you another exhibit . This would be --

13:46:42 21 MR. SILVER: We've been going for
13:46:43 22 about forty -five minutes . How are you feeling ?

13:46:49 23 THE WITNESS: Maybe another few
13:46:50 24 minutes .

13:46:51 25 MR. SILVER: Maybe about another ten

13:46:52 1 minutes and we'll give you a break .

13:46:54 2 THE WITNESS: Yes .

13:46:55 3 Q. We're about to mark , Mr. Jenkins ,

13:47:02 4 Exhibit Number 3. And it's a Bates marked

13:47:07 5 document from DP&L , DPL4585 to 4587 .

13:47:07 6 (Thereupon, Jenkins Exhibit Number 3

13:48:26 7 was marked for purposes of identification.)

13:48:26 8 Q. Okay . And I'm going to ask you a

13:48:29 9 few questions about this three-page document

13:48:31 10 which we marked as Exhibit 3 .

13:48:34 11 A. Did you say three pages ? Oh,

13:48:36 12 okay .

13:48:36 13 Q. We'll go one page at a time . So

13:48:41 14 you don't have to get ahead . First , do you see

13:48:45 15 where it says just to the right of Attachment

13:48:49 16 A, there's a handwritten notation which appears

13:48:52 17 to say waste has questionnaire . Do you see

13:48:56 18 that ? Top right of the first page . At the top

13:49:02 19 right .

13:49:02 20 A. Oh, yeah (indicating) . Can you

13:49:05 21 repeat that ?

13:49:06 22 Q. Yeah . I'm asking him to note that

13:49:08 23 there's a handwritten note at the top right

13:49:12 24 corner of the page that says waste has

13:49:15 25 questionnaire . Do you see that ?

13:49:16 1 A. Yes .

13:49:17 2 Q. Okay . And you see the division
13:49:23 3 filled in the blanks, written in gas
13:49:26 4 operations . Do you see that at the top ?

13:49:28 5 A. Yes .

13:49:28 6 Q. And then the facility name gas
13:49:30 7 meter and measurement department ?

13:49:32 8 A. Yes .

13:49:32 9 Q. That was the department you
13:49:34 10 eventually became supervisor of?

13:49:36 11 A. Yes .

13:49:36 12 Q. Just curious , you see the location
13:49:40 13 as 1900 South Broad way , not Dryden .

13:49:48 14 A. This Richard Kingdom , when he was
13:49:51 15 in charge of the meter shop , that's what it was
13:49:54 16 called .

13:49:57 17 Q. Broadway ?

13:49:58 18 A. Then it was change d --

13:49:59 19 Q. To Dryden ?

13:50:02 20 A. -- to Dryden Road . Yes .

13:50:03 21 Q. The facility contact name that you
13:50:07 22 just mentioned Richard Kingdom , R. Kingdom ,
13:50:13 23 then it's handwritten Richard Kingdom, was he
13:50:17 24 the supervisor just before you ?

13:50:18 25 A. No .

13:50:19 1 Q. Who was just before you?

13:50:20 2 A. Bill Peters .

13:50:21 3 Q. And who was before Bill Peters ?

13:50:26 4 A. Kuntz was the last name , but right
13:50:35 5 now I couldn't tell you the first name anymore .

13:50:37 6 Q. K U N T Z?

13:50:39 7 A. Yes .

13:50:39 8 Q. Do you know if Mr. Peters is still
13:50:42 9 alive ?

13:50:42 10 A. As far as I know , yes .

13:50:44 11 Q. And what about Mr. Kuntz ?

13:50:48 12 A. No. He's passed away .

13:50:49 13 Q. And same for Mr. Kingdom ?

13:50:51 14 A. As far as I know , yes .

13:50:53 15 Q. All right . And do you see system
13:50:56 16 number under Mr. Kingdom 's title as supervisor ,
13:51:00 17 it says system 812222 . Does that number mean
13:51:04 18 anything to you ?

13:51:04 19 A. Not a thing .

13:51:06 20 Q. There's the first question you see
13:51:15 21 not quite halfway down the page , does the
13:51:19 22 facility engage in any of the fog operations .

13:51:21 23 A. I see it , yes .

13:51:22 24 Q. Then there's some yes , nos for
13:51:26 25 number of operations . And there's only two

13:51:28 1 questions for this questionnaire . Do you see
13:51:31 2 the two questions ?

13:51:32 3 A. Yes .

13:51:32 4 Q. The first one is degreasing of
13:51:36 5 equipment , equipment usage . Do you know what
13:51:39 6 that means ?

13:51:40 7 A. Solvent used . I have no idea .

13:51:43 8 Q. Do you have an understanding what
13:51:44 9 the word degreasing means ?

13:51:46 10 A. Yes , I do .

13:51:47 11 Q. What does degreasing mean?

13:51:49 12 A. That's where you clean equipment
13:51:53 13 with some kind of a solvent to get the grease
13:51:56 14 off of them .

13:51:57 15 Q. Uh-huh . Was that done while you
13:52:00 16 were supervisor ?

13:52:00 17 A. No.

13:52:03 18 Q. You mentioned the use of mineral
13:52:06 19 spirits while you were supervisor earlier .

13:52:14 20 A. I don't remember saying something
13:52:16 21 about mineral spirits .

13:52:19 22 Q. If you look at --

13:52:21 23 A. I'm looking at it .

13:52:22 24 Q. -- Exhibit 2. Number one was
13:52:24 25 mineral spirits . Do you see that ?

13:52:26 1 A. Yes , I do .

13:52:27 2 Q. How was that used in gas meter ?

13:52:29 3 A. When I was there , we never used
13:52:32 4 the name mineral spirits because that was part
13:52:35 5 of the cleaner of the paint guns and everything
13:52:39 6 in the transformer shop .

13:52:41 7 Q. Uh-huh . So by the time you were
13:52:43 8 there , that work was being done in transformer ?

13:52:45 9 A. Yes .

13:52:46 10 Q. So -- and as far as you know , by
13:52:49 11 the time you were there , any degreasing of
13:52:52 12 equipment , would that have been done elsewhere ?

13:52:54 13 A. Yes .

13:52:55 14 Q. Okay . So that wasn't done while
13:52:57 15 you were --

13:52:58 16 A. No . No .

13:52:59 17 Q. Did you see any degreasing
13:53:05 18 equipment going on in the transformer shop
13:53:08 19 while you were supervisor of gas meter ?

13:53:10 20 A. I saw some going on , but what
13:53:14 21 degree , I don't know .

13:53:16 22 Q. Did you see what kind of equipment
13:53:19 23 was being used in transformer for degreasing
13:53:25 24 of -- degreasing ?

13:53:26 25 A. Cleaning and switching equipment

13:53:32 1 and everything that pertained to customers .

13:53:35 2 Large switch ers , we may transfer power from one

13:53:39 3 place to another .

13:53:40 4 Q. They would use some sort of
13:53:45 5 degreaser to do that ?

13:53:45 6 A. To clean equipment , yes .

13:53:47 7 Q. Do you know if they used a dip
13:53:49 8 tank , degreaser tank in the transformer
13:53:55 9 department ?

13:53:56 10 A. They could have . I don't know
13:53:58 11 because I was never informed that much with the
13:54:01 12 transformer shop .

13:54:02 13 Q. Do you know what a dip tank is?

13:54:04 14 A. Is that a tank where they put
13:54:06 15 part s down in them to clean it?

13:54:09 16 Q. And do you know if transformer had
13:54:14 17 a vapor -type degreaser ? Do you know what a
13:54:19 18 vapor- type degreaser is?

13:54:22 19 A. No, I do not .

13:54:23 20 Q. Have you ever heard of something
13:54:44 21 called a Steam Jenny ?

13:54:45 22 A. I've heard of them . I know what
13:54:47 23 they are .

13:54:47 24 Q. What is a Steam Jenny ?

13:54:50 25 A. That's where they clean part s with

13:54:52 1 high pressure steam .

13:54:54 2 Q. Do you know whether the
13:55:00 3 transformer department had a Steam Jenny ?

13:55:02 4 A. That I don't know .

13:55:04 5 Q. What about the -- I think you
13:55:10 6 mentioned earlier that there was a garage at
13:55:15 7 the -- at the Dryden Road facility .

13:55:18 8 A. Service building ?

13:55:19 9 Q. Yeah .

13:55:20 10 A. Separate building , yes .

13:55:21 11 Q. If you look at that first exhibit ,
13:55:28 12 the aerial photograph , can you write in where
13:55:31 13 the garage was ?

13:55:32 14 A. Yeah . (Witness complies with
13:55:45 15 request.)

13:55:45 16 Q. That's the dark -- what did you
13:55:47 17 put in there , building ?

13:55:49 18 A. Yes .

13:55:49 19 Q. Was that also known as the
13:55:51 20 transportation department ?

13:55:52 21 A. Yes .

13:55:53 22 Q. Did you have occasion when you
13:55:54 23 worked at DP&L to visit the garage ?

13:55:57 24 A. Yes .

13:55:57 25 Q. Do you know whether the garage had

13:56:05 1 a Steam Jenny ?

13:56:05 2 A. I don't know . No . The only thing
13:56:08 3 I did was we had four vehicles and if they had
13:56:12 4 a problem , they took it down and if the garage
13:56:17 5 didn't get it fixed right away , I would go down
13:56:20 6 and talk to the supervisor .

13:56:21 7 Q. That was when you were working in
13:56:24 8 which department ?

13:56:25 9 A. Gas meter .

13:56:26 10 Q. Gas meter had its own vehicles ?

13:56:28 11 A. Yes .

13:56:29 12 Q. How many vehicles did gas meter
13:56:34 13 have ?

13:56:34 14 A. Four .

13:56:34 15 Q. What sort of vehicles were they ,
13:56:37 16 vans or --

13:56:38 17 A. There was three vans and then we
13:56:40 18 had a -- it was an old welding truck , probably
13:56:46 19 a ton and a half . It had a winch on the back .
13:56:50 20 And it was used by gas meter , electric meter ,
13:56:57 21 transformer shop , test department .

13:56:59 22 Q. Do you know whether the garage had
13:57:04 23 a paint booth ?

13:57:04 24 A. At one time , yes .

13:57:06 25 Q. When was that ?

13:57:08 1 A. When I first started at DP&L , they
13:57:12 2 had two big paint booths . But how long they
13:57:15 3 had , for so long , then they did away with it .

13:57:19 4 Q. Uh-huh . Okay . Do you know what
13:57:22 5 the big paint booths in the garage were used
13:57:25 6 for ?

13:57:25 7 A. Painting trucks and cars .

13:57:27 8 Q. They did their own painting ?

13:57:28 9 A. Yes .

13:57:29 10 Q. And they did that up to a certain
13:57:32 11 point in time ?

13:57:32 12 A. Yes .

13:57:33 13 Q. But you don't remember when that
13:57:35 14 was ?

13:57:35 15 A. I have no idea .

13:57:36 16 Q. Okay . Then we're still looking
13:57:48 17 at -- back to Exhibit Number 3. We're looking
13:57:57 18 at DP&L 4585 , that three-page r.

13:58:01 19 A. Yes .

13:58:01 20 Q. We noted that we would talk about
13:58:05 21 the degreasing of the equipment . And then the
13:58:09 22 other yes was painting . And do you see
13:58:15 23 something next to the word handwriting ?

13:58:18 24 A. It says gas regulator --

13:58:20 25 Q. Shop ?

13:58:21 1 A. -- shop .

13:58:22 2 Q. What was the gas regulator shop ?

13:58:24 3 A. Well , the gas comes in in
13:58:31 4 different pressures . It has to go through
13:58:33 5 meters at a certain pressure . Either that or
13:58:36 6 you have to put a corrector on it . And they
13:58:40 7 did painting , but I couldn't -- that was --
13:58:44 8 most of that was done hand painting out in the
13:58:48 9 field . You know , regulator settings and meter
13:58:51 10 settings .

13:58:51 11 Q. Uh-huh . So does it appear to you
13:58:55 12 after the word painting it says under gas
13:58:58 13 regulator shop ?

13:58:59 14 A. Yes .

13:59:00 15 Q. All right . I understand . Now , if
13:59:03 16 you go back to -- go to the next page , page 2
13:59:07 17 of this Exhibit 3 . The Bates page we're
13:59:12 18 looking at is 4586 . You see a second question
13:59:19 19 for each activity from question one which
13:59:22 20 occurs at this facility , where are the wastes
13:59:25 21 being discarded . Do you see that ?

13:59:26 22 A. I see it .

13:59:27 23 Q. They give you an example , which is
13:59:34 24 just an example of automotive maintenance . But
13:59:39 25 then there's a handwritten note under activity .

13:59:43 1 Do you see where it says cleaning equipment
13:59:46 2 parts ?

13:59:46 3 A. Yes .

13:59:46 4 Q. Was that activity performed while
13:59:51 5 you were supervisor of gas meter ?

13:59:53 6 A. Yes , but we didn't have a storage
14:00:03 7 can .

14:00:04 8 Q. Okay . Was there a storage can at
14:00:07 9 a time prior to when you were supervisor in the
14:00:11 10 gas meter --

14:00:12 11 A. That I don't know . I don't know .
14:00:14 12 But I know that we didn't because any cleaning
14:00:17 13 that they did to the meters , the oil , or the
14:00:21 14 cleaner went to the transformer shop and it
14:00:24 15 went to the oil house .

14:00:28 16 Q. The oil went to the transformer
14:00:31 17 shop and then the oil house ?

14:00:32 18 A. Yes .

14:00:32 19 Q. Where was the oil house ? Can you
14:00:35 20 look back at that aerial photograph , Exhibit 1,
14:00:39 21 and draw in an arrow to the oil house ?

14:00:42 22 A. There's the oil house right there
14:00:44 23 (indicating) .

14:00:44 24 Q. Let the record reflect that he's
14:00:48 25 marking oil house on Exhibit 1. What was the

14:00:54 1 oil house ?

14:00:54 2 A. That was where they -- like they
14:01:07 3 took oil out of transformers or, you know ,
14:01:11 4 cleaning oils or things like -- they put it in
14:01:14 5 that building and then there was a company come
14:01:17 6 in and drew it out and disposed of it .

14:01:21 7 Q. That's while you were supervisor
14:01:23 8 of the meter department ?

14:01:25 9 A. Yes .

14:01:26 10 Q. How was the oil house -- do you
14:01:28 11 know whether the company that came in was
14:01:30 12 always -- always there to take the oil out of
14:01:37 13 the oil house while you were at DP&L ?

14:01:39 14 A. What do you mean always there ?

14:01:41 15 Q. Well , when you started at DP&L ,
14:01:43 16 did a company come into --

14:01:46 17 A. That I don't know .

14:01:47 18 Q. Do you know when -- okay . Forget
14:01:50 19 that .

14:01:52 20 A. Well , I was in the other part of
14:01:54 21 the building so I had no recommendation -- or
14:01:57 22 no knowledge of, you know , even the oil house .
14:02:02 23 I had no reason to know .

14:02:03 24 Q. Okay .

14:02:05 25 A. And I think -- I think I put the

14:02:15 1 meter shop in the wrong location .

14:02:17 2 Q. You think you put the meter shop
14:02:20 3 in the wrong location ? Hold on a second .

14:02:26 4 We're now going to use blue on Exhibit 1 .

14:02:29 5 A. Okay . It was here (indicating).

14:02:33 6 Q. Why don't you circle that X that
14:02:35 7 you wrote in and write in meter shop in blue .

14:02:44 8 What made you think of that , the second
14:02:49 9 location ?

14:02:49 10 A. Okay . See where I put the T, the
14:02:53 11 transformer shop --

14:02:55 12 Q. Sure .

14:02:57 13 A. -- that long building there was a
14:02:59 14 big crane bay and that was part of the
14:03:09 15 trans former shop . And then we were just south
14:03:12 16 of that off the dock .

14:03:13 17 Q. And that's when you were the
14:03:14 18 supervisor ?

14:03:15 19 A. Yes .

14:03:15 20 Q. That's where it was ?

14:03:16 21 A. Yes . Well , the trans former shop
14:03:19 22 was always there .

14:03:19 23 Q. Was there a time when -- when the
14:03:24 24 carpentry shop was in that same general area?

14:03:27 25 A. Yes .

14:03:27 1 Q. Where was that ?

14:03:28 2 A. Right here (indicating).

14:03:32 3 Q. Why don't you put -- why don't you
14:03:33 4 put in blue a C with a circle around it.

14:03:47 5 A. (Witness complies with request.)

14:03:47 6 Q. And what about the blacksmith
14:03:49 7 shop , is that also in that same general area ?

14:03:53 8 A. Right here (indicating) .

14:03:54 9 Q. Right next to it?

14:03:56 10 A. Yes .

14:03:57 11 Q. You don't have to mark that . At
14:03:59 12 some point in time , the carpentry shop and the
14:04:02 13 blacksmith shop , were they taken out ?

14:04:04 14 A. Yes .

14:04:05 15 Q. What happened ?

14:04:05 16 A. Top management decision that they
14:04:13 17 sent the carpenter shop work out and the
14:04:18 18 blacksmith shop , they quit doing it .

14:04:21 19 MR. CAMPBELL: I'm sorry , where's the
14:04:22 20 blacksmith shop again ?

14:04:24 21 THE WITNESS: Right here
14:04:25 22 (indicating) .

14:04:25 23 Q. You can put a B with a circle
14:04:28 24 around it .

14:04:28 25 A. (Witness complies with request.)

14:04:30 1 Q. And that's done in blue . He just
14:04:32 2 put a B, no circle , and it's on Exhibit 1. So
14:04:36 3 it was basically farmed out , that work ?

14:04:37 4 A. Yes .

14:04:38 5 Q. No longer done at that location ?

14:04:41 6 A. No longer done in that location .

14:04:42 7 Q. What replaced carpentry and what
14:04:45 8 replaced blacksmith at the service building , if
14:04:48 9 you can remember ?

14:04:49 10 A. I -- all I can remember is they
14:04:57 11 contracted out the carpenter shop and the
14:05:02 12 blacksmith shop , they did away with it because
14:05:05 13 what they did , they replaced the shuttle
14:05:10 14 handles , did welding and everything in there
14:05:14 15 to -- to repair equipment .

14:05:16 16 Q. Do you remember a
14:05:19 17 Mr. Fleck enstein ?

14:05:21 18 A. Nope .

14:05:39 19 MR. SILVER: Would this be a good
14:05:40 20 time for a break ?

14:05:41 21 THE WITNESS: Yes .

14:05:42 22 MR. SILVER: Let's go off the record
14:05:43 23 for a moment . Take about five minutes .

14:05:48 24 THE WITNESS: Okay .

14:05:49 25 (Thereupon, a break was had.)

14:05:49 1 (Thereupon, Jenkins Exhibit Number 4
14:18:59 2 was marked for purposes of identification.)

14:18:59 3 Q. Ed, I'm going to place in front of
14:19:02 4 you what's been marked as Jenkins Exhibit 4,
14:19:06 5 which is a three-page exhibit , DP&L 4582 to 84 .
14:19:14 6 Take a look at that . It's similar to the last
14:19:17 7 exhibit we looked at .

14:20:28 8 (Pause in proceedings.)

14:20:28 9 Q. All right . The witness has
14:20:29 10 indicated that he's ready . Do you see that
14:20:31 11 this is very similar , it's pretty much the same
14:20:35 12 questionnaire , but a different department ?

14:20:37 13 A. Yes .

14:20:37 14 Q. And the division is gas , same
14:20:40 15 division , right , as gas meter and measurement ?

14:20:44 16 A. Yes .

14:20:44 17 Q. Also called gas operations ?

14:20:47 18 A. Yes .

14:20:47 19 Q. And the facility name is gas
14:20:50 20 operations regulator shop , right ?

14:20:51 21 A. Yes .

14:20:52 22 Q. We talked about the regulator shop
14:20:54 23 before , haven't we , today ?

14:20:54 24 A. No .

14:20:58 25 Q. Okay . Tell me about the

14:20:59 1 regulator -- you never worked at the regulator
14:21:02 2 shop ?

14:21:03 3 A. No, I didn't . No .

14:21:03 4 Q. Tell me what happened in the
14:21:06 5 regulator shop .

14:21:09 6 A. Well , when you go to large meters ,
14:21:12 7 you have to regulate meter flow . That's what
14:21:17 8 gas operations done , they put regulators on it
14:21:21 9 to regulate the pressure .

14:21:23 10 Q. Uh-huh . And what is a regulator ?
14:21:26 11 What does it look like ?

14:21:27 12 A. There's different sizes , different
14:21:31 13 makes . Some of them were very small , that big
14:21:37 14 around (indicating) .

14:21:37 15 Q. About four or five inches ?

14:21:39 16 A. Yeah . And some of them as much as
14:21:41 17 twelve to fourteen inches in size .

14:21:44 18 Q. Uh-huh .

14:21:45 19 A. Some of them are regulators that
14:21:47 20 are put in the line that , you know , have an
14:21:51 21 indicator on the -- it fits right in the gas
14:21:54 22 line and then the regulator , that cuts the
14:22:04 23 pressure and everything is on the outside of
14:22:06 24 the pipeline .

14:22:07 25 Q. And I see that the location

14:22:13 1 instead of either Dryden or Broadway here , it's
14:22:17 2 1900 Springboro Pike . Are you familiar with
14:22:20 3 the name Springboro Pike?

14:22:22 4 A. Yes .

14:22:22 5 Q. Is that all the same as Broadway
14:22:26 6 and Dryden ?

14:22:26 7 A. Yes .

14:22:27 8 Q. They keep changing those names ,
14:22:29 9 don't they ?

14:22:29 10 A. Yes .

14:22:30 11 Q. Next to that it says DP&L service
14:22:33 12 building . So we're talking about the same
14:22:35 13 building ?

14:22:35 14 A. Yes .

14:22:36 15 Q. Now , the regulator shop , was
14:22:38 16 that -- when you were supervisor of gas meter ,
14:22:41 17 were you close to the regulator shop ?

14:22:42 18 A. Not really , no .

14:22:47 19 Q. Okay . Now , was the regulator shop
14:22:49 20 at one time along the west dock ?

14:22:53 21 A. Yes .

14:22:54 22 Q. Was it always along the west dock ?

14:22:56 23 A. Until -- at one point , they moved
14:23:04 24 it over to where part of the carpenter shop and
14:23:07 25 the trans -- and the blacksmith shop . They

14:23:10 1 used a small area there .

14:23:11 2 Q. Okay . That was after they moved
14:23:14 3 off the west dock ?

14:23:17 4 A. Yes .

14:23:17 5 Q. Why don't you show us where it was
14:23:19 6 on the west dock by putting regulator shop in
14:23:24 7 blue ink .

14:23:38 8 A. The only thing I can remember , as
14:23:41 9 it -- when you came down the long hallway , the
14:23:45 10 main hallway of the building , it was to the
14:23:47 11 left of the west entrance way to the building .

14:23:55 12 Q. Okay . Can you put approximately
14:24:00 13 where you think the regulator shop was when it
14:24:03 14 was along the west dock ? And that's in blue
14:24:08 15 ink , he's drawn a circle , and can you --

14:24:11 16 A. Put an R?

14:24:12 17 Q. -- put an R on it ?

14:24:14 18 A. Yes .

14:24:14 19 Q. Then you said it moved over to
14:24:16 20 where blacksmith and carpentry had been , a very
14:24:20 21 small area ?

14:24:20 22 A. A very small area , yes .

14:24:22 23 Q. How many people worked in the
14:24:23 24 regulator shop ?

14:24:24 25 A. I have no idea .

14:24:26 1 Q. Okay. At any time --

14:24:28 2 A. But they had -- when they were in
14:24:32 3 that building , they had like four or five
14:24:35 4 trucks .

14:24:35 5 Q. Okay . And that building , you're
14:24:37 6 referring to the service building ?

14:24:38 7 A. Yes .

14:24:39 8 Q. Okay . Now , after it was over
14:24:43 9 where blacksmith and carpentry was , did it move
14:24:47 10 somewhere else ?

14:24:51 11 A. No. When they went to service
14:24:54 12 centers , the regulator mechanics went to the
14:24:57 13 service centers also . And any repair work or
14:25:00 14 adjustments or anything , they did that in the
14:25:03 15 service centers .

14:25:03 16 Q. They didn't get any regulator
14:25:06 17 mechanics back at the service building at that
14:25:08 18 point in time ?

14:25:09 19 A. Maybe one or two . But they didn't
14:25:11 20 keep the big department , no .

14:25:12 21 Q. All right . When you were
14:25:16 22 supervisor , started as supervisor of gas meter ,
14:25:20 23 was the regulator shop still in the service
14:25:25 24 building ?

14:25:26 25 A. That I don't know . But I know

14:25:30 1 very shortly , they dispersed them out to the
14:25:35 2 service centers .

14:25:36 3 Q. Okay . Now , if you look at Exhibit
14:25:38 4 4 , that's the one you were just reading , when
14:25:41 5 it mentions Springboro Pike , you see a facility
14:25:46 6 contact name of W.R. Dugan , supervisor , gas
14:25:52 7 operations department ?

14:25:52 8 A. Yes .

14:25:53 9 Q. He was the overall supervisor of
14:25:55 10 gas operations or was he just regulator shop ?

14:26:02 11 A. No , he was over the whole
14:26:04 12 department , but he was -- I don't remember . I
14:26:14 13 really don't . I know that he was over the --
14:26:19 14 when it was all consolidated in the service
14:26:22 15 building , he was over everything in the gas
14:26:25 16 operations .

14:26:25 17 Q. Uh-huh . What supervisor of gas --
14:26:29 18 I don't know if I've asked you this so let me
14:26:32 19 ask you again . What supervisor of gas
14:26:34 20 operations did you report to when you were the
14:26:37 21 supervisor of the -- of the meter shop ?

14:26:42 22 A. Clarence Kerns .

14:26:46 23 Q. And do you know if Mr. Dugan is
14:26:51 24 still alive ?

14:26:52 25 A. No , he is not .

14:26:53 1 Q. And what about Mr. Kerns ? Did I
14:26:55 2 ask you that question already ?

14:26:57 3 A. Yes . He's retired .

14:26:58 4 Q. Does he live in the Dayton area ?

14:27:00 5 A. I think he lives in Beavercreek .

14:27:06 6 Q. Okay . Do you keep in touch with
14:27:08 7 him ?

14:27:08 8 A. Occasionally . Not -- nothing on a
14:27:14 9 regular basis .

14:27:15 10 Q. All right y. Now , if you look at
14:27:17 11 question one on Exhibit 4 , same question as
14:27:21 12 that other questionnaire , does this facility
14:27:23 13 engage in the following operations . And you
14:27:26 14 see , once again , degreasing of equipment is
14:27:29 15 marked off as yes and painting .

14:27:34 16 Was degreasing of equipment going on
14:27:37 17 in the regulator shop when it was in full
14:27:39 18 operation at the service building ?

14:27:40 19 A. Yes .

14:27:42 20 Q. And how did they go about
14:27:46 21 decreasing equipment ?

14:27:47 22 A. That I couldn't tell you . They
14:27:49 23 had -- they used a solvent . And I don't know
14:27:54 24 exactly how , if they had a tank that they , you
14:27:59 25 know , cleaned it in and what . I don't know .

14:28:01 1 Q. Dip tank , perhaps ?

14:28:02 2 A. Could have been . I couldn't say
14:28:04 3 yes or no because I don't know .

14:28:06 4 Q. Do you remember seeing the tank in
14:28:09 5 the regulator shop ?

14:28:10 6 A. I might have , but I don't remember
14:28:12 7 because I -- you know , I was taking care of the
14:28:16 8 meter shop and I didn't -- didn't go into all
14:28:20 9 the other shops .

14:28:22 10 Q. Sure . Do you know if the tank was
14:28:24 11 a fifty -five gallon tank ?

14:28:27 12 A. I have no idea .

14:28:29 13 Q. Okay . And then painting , was the
14:28:32 14 painting -- was there painting going on in the
14:28:36 15 regulator shop ?

14:28:37 16 A. No. They did the regulator
14:28:38 17 painting in the building . They did it at the
14:28:41 18 paint shop , which was part of the trans former
14:28:43 19 shop .

14:28:43 20 Q. Okay .

14:28:46 21 A. And then they painted out in the
14:28:48 22 field , you know , where they was -- had to
14:28:51 23 repair a regulator or something . Most of the
14:28:54 24 times , they painted it .

14:28:55 25 Q. Okay . Why did the regulator shop

14:28:58 1 need degreasing ?

14:28:59 2 A. I have no idea .

14:29:01 3 Q. All right . Now , if you go to the

14:29:07 4 next page of the same exhibit , Exhibit N umber

14:29:12 5 4, this is Bates 4583, you'll see that same

14:29:17 6 second question , for each activity from

14:29:21 7 question one which occurs at this facility ,

14:29:25 8 where are the wastes being discarded . You'll

14:29:27 9 see under activity gas regulator and gas

14:29:31 10 propane maintenance . And you see a waste

14:29:34 11 solid . Do you see the word solvent under the

14:29:38 12 word waste ?

14:29:39 13 A. Yes , I do .

14:29:39 14 Q. And do you see the word

14:29:43 15 chlorethene new under that ?

14:29:44 16 A. Yes .

14:29:44 17 Q. What is chlorethene new ?

14:29:47 18 A. I have no idea .

14:29:49 19 Q. Do you see that there's a category

14:29:52 20 called intermediate disposal contain ers on-site

14:29:57 21 or in trucks ?

14:29:58 22 A. I see it, yes .

14:30:00 23 Q. Do you understand what that means ?

14:30:04 24 A. No, I don't .

14:30:04 25 Q. Do you know what contain ers

14:30:07 1 on-site or on trucks were used for intermediate
14:30:11 2 disposal of the solvent for the regulator
14:30:14 3 department ?

14:30:15 4 A. No, I don't .

14:30:15 5 Q. Final removal , dumpster or
14:30:18 6 transportation department . Do you know what
14:30:23 7 dumpsters they're talking about ?

14:30:25 8 A. I really don't know . I know that
14:30:33 9 the storeroom had dumpsters on each end of the
14:30:39 10 docks and stuff was put in there , but I don't
14:30:41 11 know if any solvent or anything was put in
14:30:45 12 there .

14:30:45 13 Q. When you say each end of the dock ,
14:30:48 14 are you talking about the west dock or east
14:30:50 15 dock or both ?

14:30:51 16 A. Both .

14:30:52 17 Q. Can you show me where the
14:30:53 18 dumpsters were ? Use the blue ink on Exhibit 1.
14:31:05 19 You better -- I don't know if we've used the
14:31:10 20 letter D. But put a DU next to each one .

14:31:14 21 A. (Witness complies with request.)

14:31:14 22 Q. Let the record reflect the witness
14:31:17 23 is marking Exhibit 1 showing dumpsters at the
14:31:24 24 east dock and west dock . Were there any other
14:31:27 25 dumpster locations ?

14:31:27 1 A. They had one at the garage for a
14:31:29 2 number of years , but I don't -- I don't
14:31:32 3 remember when they got rid of it.

14:31:33 4 Q. Do you know where that was in the
14:31:35 5 garage ? If it's not on that photo , I can give
14:31:39 6 you a better photo .

14:31:40 7 A. Okay . It was -- the wall went
14:31:43 8 farther down .

14:31:44 9 Q. Yeah . Let me give you a better
14:31:47 10 photo for that one . We will mark as Exhibit 5
14:31:53 11 another aerial photograph .

14:31:53 12 (Thereupon, Jenkins Exhibit Number 5
14:32:25 13 was marked for purposes of identification.)

14:32:25 14 Q. Okay . We're placing another
14:32:27 15 aerial photograph in front of you , Exhibit 5.
14:32:30 16 Can you see the transportation garage in that ?

14:32:33 17 A. Yes .

14:32:33 18 Q. It's that black roofed building ,
14:32:36 19 middle of the page ?

14:32:37 20 A. Yes .

14:32:37 21 Q. Can you show us where the dumpster
14:32:39 22 was that you observe d next to the
14:32:41 23 transportation building ?

14:32:43 24 A. (Indicating.)

14:32:58 25 Q. Put a D and maybe put a circle

14:33:00 1 around it?

14:33:01 2 A. (Witness complies with request.)

14:33:01 3 Q. All right . So let the record

14:33:04 4 reflect that the witness has marked a D next to

14:33:07 5 the east wall of the transportation building to

14:33:10 6 show where the dumpster was .

14:33:12 7 What size dumpster was next to the

14:33:14 8 transportation building ?

14:33:15 9 A. I have no idea .

14:33:16 10 Q. Can you give me an approximation

14:33:20 11 in terms of the length of the dumpster ?

14:33:23 12 A. I -- I don't know . I really

14:33:29 13 don't .

14:33:29 14 Q. And what about the dumpsters at

14:33:32 15 the end of the two docks that you marked on

14:33:35 16 Exhibit 1 ?

14:33:35 17 A. They were approximately what ,

14:33:43 18 eight feet by maybe fifteen feet and probably

14:33:51 19 four to five feet deep .

14:33:52 20 Q. Okay . Do you remember what color

14:33:54 21 they were ?

14:33:54 22 A. I have no idea . Most of them were

14:33:59 23 rust .

14:33:59 24 Q. Okay . They had been there a

14:34:08 25 while , right ?

14:34:08 1 A. Well , trucks would come in and
14:34:10 2 haul them out and then they'd bring another one
14:34:12 3 in . Most of them were pretty bad shape .

14:34:15 4 Q. Do you know who hauled them out ?

14:34:17 5 A. I have no idea . Nope . It was a
14:34:19 6 contractor .

14:34:20 7 Q. Now , was there any time while you
14:34:49 8 were working at the DP&L service building did
14:34:58 9 DP&L 's own trucks haul waste from the facility ?

14:35:05 10 MS. BAIRD: Larry , can you repeat
14:35:06 11 that ? I couldn't hear the last part of that ?

14:35:09 12 MR. SILVER: Do you want to do that
14:35:11 13 for me ?

14:35:28 14 (Thereupon, the record was read.)

14:35:28 15 Q. Did DP&L 's own truck s haul waste
14:35:32 16 from the facility at any time while you were
14:35:34 17 working there ?

14:35:35 18 MR. CAMPBELL: I'll object to the
14:35:36 19 form of the question .

14:35:37 20 Q. If you know .

14:35:38 21 A. I don't know .

14:35:39 22 Q. Did you ever observe any DP&L
14:35:44 23 trucks hauling waste from the DP&L facility ?

14:35:53 24 MR. CAMPBELL: Same objection .

14:35:55 25 THE WITNESS: The only trucks I know

14:35:58 1 were contractors that would come in to pick up the
14:36:01 2 dumpsters .

14:36:02 3 Q. Let's talk about your early years ,
14:36:05 4 in the first several years you were at the
14:36:07 5 facility in the '50s .

14:36:16 6 Did DP&L have a dump truck parked on
14:36:21 7 the west dock of the facility ?

14:36:23 8 A. They could have .

14:36:24 9 Q. Why do you think they --

14:36:28 10 A. But for me to say yes , positive , I
14:36:31 11 can't do that .

14:36:32 12 Q. Okay . Do you remember a -- ever
14:36:35 13 seeing a -- a truck located there on the west
14:36:41 14 dock back in your early days at DP&L ?

14:36:44 15 A. I think there was --

14:36:47 16 MR. HARBECK: Larry , you completely
14:36:48 17 faded out there . If you could , repeat that .

14:36:50 18 MR. SILVER: Why don't you repeat
14:36:52 19 what I said and what his answer was .

14:37:09 20 (Thereupon, the record was read.)

14:37:10 21 Q. What do you think was there?

14:37:15 22 A. Probably a dump truck . But like I
14:37:17 23 say , I don't recall .

14:37:19 24 Q. Do you know , was there a
14:37:38 25 department at DP&L when you started working

14:37:41 1 there at the service building known as the
14:37:44 2 stores department ?

14:37:45 3 A. Yes .

14:37:45 4 Q. What was the stores department ?

14:37:47 5 A. That's where they had all the --
14:37:52 6 all the material , anything that was used out on
14:37:56 7 the job , such as pipe , wires , fittings .

14:38:02 8 Q. Was the stores department always
14:38:07 9 in the same location --

14:38:08 10 A. Yes .

14:38:08 11 Q. -- while you worked there?

14:38:10 12 A. Yes .

14:38:10 13 Q. Can you show me on Exhibit 1 where
14:38:13 14 the stores department was ?

14:38:14 15 A. Now , this is only approximate .
14:38:24 16 But this was stores (indicating) .

14:38:26 17 Q. Now , which department had , you
14:38:38 18 might call it jurisdiction , over the two
14:38:40 19 dumpsters at the end of the east and west
14:38:43 20 docks ?

14:38:43 21 A. My understanding , it was the
14:38:46 22 storeroom .

14:38:46 23 Q. The stores department itself ?

14:38:48 24 A. Yes . Yes . They were in charge of
14:38:50 25 getting rid of -- or emptying the dumpsters .

14:38:55 1 Q. The dump truck that was located
14:39:03 2 around the west dock , was that under the
14:39:06 3 jurisdiction of the stores department ?

14:39:07 4 MR. CAMPBELL: Objection to form and
14:39:08 5 to foundation .

14:39:09 6 Q. You can answer that .

14:39:11 7 A. I assume it was , you know , because
14:39:14 8 that was in their area .

14:39:15 9 Q. Okay . And did stores department 's
14:39:22 10 employees , were they the employees at DP&L that
14:39:29 11 drove the dump truck ?

14:39:31 12 MR. CAMPBELL: Same objection . He
14:39:32 13 testified he wasn't sure about that dump truck .

14:39:35 14 THE WITNESS: Yeah , I don't --

14:39:37 15 MR. SILVER: He can answer .

14:39:37 16 THE WITNESS: I don't know .

14:39:38 17 Q. Did you know any stores employees ?

14:39:40 18 A. Yes .

14:39:41 19 Q. Did you know John Baker?

14:40:19 20 A. Yes .

14:40:19 21 Q. Who was John Baker?

14:40:21 22 A. He was the supervisor over the
14:40:23 23 storeroom .

14:40:24 24 Q. Is Mr. Baker still a DP&L
14:40:34 25 employee ?

14:40:35 1 A. Not to my knowledge , no .

14:40:36 2 Q. Is Mr. Baker still alive ?

14:40:38 3 A. That I don't know .

14:40:39 4 Q. Is he a friend of yours ?

14:40:41 5 A. No. He and his wife moved to -- I
14:40:45 6 think Arizona when he retired .

14:40:47 7 Q. And what about a Mr. Jim Jones ?

14:40:51 8 A. Yes , I know Jim Jones .

14:40:53 9 Q. Does he -- does he live in the
14:41:00 10 west Dayton area ?

14:41:00 11 A. Yes . Or he did . Yes .

14:41:02 12 Q. The last you knew ?

14:41:03 13 A. Yes .

14:41:04 14 Q. Do you believe he's still alive ?

14:41:06 15 A. That I don't know .

14:41:09 16 Q. Did Mr. Jones work in the stores
14:41:13 17 department ?

14:41:13 18 A. Yes .

14:41:13 19 Q. What kind of work did he do there?

14:41:16 20 A. He was a foreman . Over the
14:41:24 21 fellows that worked in the department , the
14:41:26 22 store keepers .

14:41:26 23 Q. Was maintenance separate from
14:41:30 24 stores ?

14:41:30 25 A. I don't remember . I really don't .

14:41:39 1 I just --

14:41:41 2 Q. All right . Okay . What about Rob
14:41:46 3 Faulkner ?

14:41:46 4 A. He was part of the storeroom . He
14:41:51 5 worked in the office and he was a -- you made a
14:41:57 6 request for something that he had to order and
14:41:59 7 he would order it for you .

14:42:01 8 Q. Is he still alive , to your
14:42:03 9 knowledge ?

14:42:03 10 A. As far as I know , yes .

14:42:05 11 Q. Mr. Baker , did he start working
14:42:14 12 in -- around the time when you started working
14:42:16 13 at DP&L ?

14:42:17 14 A. I don't know what time he started .
14:42:19 15 But I know he was there when I took over the
14:42:25 16 meter shop . And he was there when I retired .

14:42:27 17 Q. Okay . All right . And what about
14:42:36 18 Mr. -- okay . Hold on for a minute .

14:42:39 19 (Pause in proceedings.)

14:42:39 20 Q. Did you ever have any
14:43:08 21 responsibility for the disposal of waste when
14:43:10 22 you were supervisor of the meter department ?

14:43:14 23 MR. CAMPBELL: Objection to form .

14:43:17 24 MR. HARBECK: This is Bill again .

14:43:18 25 It's getting a little bit more difficult . I'm not

14:43:21 1 sure if you moved farther away from the
14:43:24 2 microphone , but I'm having a hard time --

14:43:27 3 MR. SILVER: Okay . I'll repeat the
14:43:28 4 question .

14:43:29 5 Q. Ed , were you -- did you ever have
14:43:34 6 any responsibility for the disposal of waste as
14:43:37 7 supervisor of the meter department ?

14:43:41 8 MR. CAMPBELL: Objection to form .

14:43:50 9 THE WITNESS: A short period of time ,
14:43:51 10 I was put over the -- getting rid of the used
14:43:56 11 transformers .

14:43:57 12 Q. Uh-huh .

14:44:01 13 A. And a company out of Wheeling ,
14:44:05 14 West Virginia picked them up . All I did was
14:44:08 15 you go down when the truck come in to pick them
14:44:10 16 up , there was a fellow that loaded them on the
14:44:14 17 truck for the guy , and all I did was check the
14:44:20 18 numbers that was picked up on his manifest and
14:44:23 19 mine and I signed off .

14:44:25 20 Q. Uh-huh . Uh-huh . And this was
14:44:27 21 while you were supervisor of meter ?

14:44:29 22 A. Yes .

14:44:30 23 Q. How was it that the supervise --
14:44:33 24 you as supervisor of meter came to be involved
14:44:36 25 in the disposal of transformers ?

14:44:38 1 A. Well , they had -- they brought a
14:44:45 2 fellow into the transformer shop and he knew
14:44:48 3 nothing of transformers and so I knew what a
14:44:52 4 transformer was and so for a short period of
14:44:57 5 time I took that duty until he was acclimated
14:45:01 6 into the system , you know , with what to look
14:45:05 7 for .

14:45:05 8 Q. Who was that fellow ?

14:45:06 9 A. His last name was Frazier . And I
14:45:17 10 don't remember his first name .

14:45:19 11 Q. Did he get brought in as
14:45:22 12 supervisor of the transformer shop ?

14:45:24 13 A. Yes .

14:45:24 14 Q. Do you know who he replaced as
14:45:27 15 supervisor of transformer ?

14:45:36 16 A. No, I don't .

14:45:36 17 Q. So how is it that you knew what to
14:45:42 18 do with the transformers ? Why did they bring
14:45:45 19 you in?

14:45:45 20 A. Well , it was just a simple matter
14:45:47 21 of going down and the guy on the forklift
14:45:51 22 picked the transformer up and put it on the
14:45:54 23 truck to dispose it. And all I did was write
14:45:58 24 the numbers down , you know . Well , I didn't
14:46:02 25 even write the numbers down . I had a sheet

14:46:05 1 that had the numbers on it and then I just
14:46:07 2 checked it off and then we made a copy for the
14:46:11 3 driver of the truck and so then he matched
14:46:13 4 mine .

14:46:13 5 Q. Now , before a truck came and
14:46:19 6 picked up the transformers during your time at
14:46:22 7 DP&L , do you know how the transformers were
14:46:26 8 disposed of ?

14:46:27 9 A. No .

14:46:27 10 Q. Do you know whether they went into
14:46:30 11 the dumpsters ?

14:46:31 12 A. No, I don't know that . No .

14:46:34 13 Q. Do you know whether they went into
14:46:36 14 a dump truck ?

14:46:38 15 A. No. I don't know that either .

14:46:39 16 Q. Are you familiar with the Drexel
14:47:01 17 area on Third Street in Dayton ?

14:47:04 18 A. I know where it's at , yes .

14:47:06 19 Q. Was there a contractor located in
14:47:14 20 that area that picked up materials from DP&L
14:47:21 21 service building ?

14:47:21 22 A. Yes .

14:47:22 23 Q. Who was that ?

14:47:25 24 MS. BAIRD: Larry , can you repeat
14:47:26 25 that ?

14:47:26 1 THE WITNESS: I can't tell you the
14:47:27 2 name . I don't know . I know it was out in Drexel .
14:47:30 3 It was south off of Third Street .

14:47:32 4 Q. Uh-huh . And that was -- what kind
14:47:34 5 of materials did that contractor pick up?

14:47:36 6 A. He -- he picked up -- and I guess
14:47:43 7 that was a contract . He picked up some of the
14:47:45 8 oil disposal out of the oil building .

14:47:49 9 Q. Uh-huh . How did you happen to be
14:47:54 10 aware of that ?

14:47:55 11 A. Well , we put oil in there , you
14:47:58 12 know , cleaning oil and meter oil , and it was
14:48:04 13 just common knowledge .

14:48:05 14 Q. Okay . When you say we , you mean
14:48:08 15 you and the meter shop ?

14:48:09 16 A. Yes . Uh-huh .

14:48:10 17 Q. As supervisor ?

14:48:12 18 A. Yes .

14:48:12 19 Q. Okay . So it was common to put --
14:48:17 20 to take the used oil from all parts of the
14:48:24 21 service building and send them to the oil
14:48:26 22 house ?

14:48:27 23 A. Yes . And the contractor -- if you
14:48:32 24 look at the map -- or look at the drawing , it's
14:48:35 25 very close , similarly , I could look out my back

14:48:40 1 window or my office door and if the truck was
14:48:43 2 there and if somebody else -- he was standing
14:48:46 3 there waiting for somebody , then I would
14:48:50 4 contact somebody and say hey , you know , they're
14:48:52 5 there to pick up oil .

14:48:53 6 Q. Uh-huh .

14:48:55 7 A. And that's -- that was about the
14:48:57 8 most that I did .

14:49:03 9 Q. Do you know how long DP&L was
14:49:21 10 using a contractor to remove the oil from the
14:49:23 11 oil house ?

14:49:24 12 A. No .

14:49:24 13 Q. Did I ask you about chlorethene
14:50:14 14 new , whether you understood what that was ?

14:50:16 15 A. You said something about it , but
14:50:19 16 I --

14:50:20 17 Q. Let's point to one of the exhibits
14:50:23 18 then . You're looking at Jenkins Exhibit 4 on
14:50:52 19 4583 . Do you see that reference under solvent ?
14:50:55 20 We're talking about the regulator shop now .
14:50:58 21 See it says chlorethene new ? Do you know what
14:51:03 22 that is ?

14:51:03 23 A. No .

14:51:04 24 Q. Did you ever use chlorethene new
14:51:06 25 at any point in time ?

14:51:07 1 A. Not to my knowledge .

14:51:09 2 Q. Do you know what thychlor is?

14:51:12 3 A. No, I don't .

14:51:13 4 Q. Are you familiar with the term
14:52:06 5 full ers earth ?

14:52:06 6 A. No.

14:52:43 7 Q. Do you know what a clinker is?

14:52:45 8 A. I've heard of it. I've heard that
14:52:50 9 term used in the power plants in the furnaces ,
14:52:57 10 the coal , they used forms of clinker on the
14:53:02 11 side of the -- I guess you'd -- not the boiler .
14:53:08 12 It's like the -- it heats the water and
14:53:12 13 everything .

14:53:12 14 Q. Uh-huh . Do you understand -- have
14:53:15 15 any understanding of how clinker is removed
14:53:18 16 from boilers ?

14:53:21 17 A. No. I had nothing to do with
14:53:23 18 power plants . Except that we had the large
14:53:27 19 meters and I would have to verify when the
14:53:31 20 manufacture r came in and we tested meters , that
14:53:34 21 he and I both agreed that his was accurate .

14:53:39 22 Q. These were meters that were used
14:53:42 23 at power plants ?

14:53:43 24 A. Large meters , yes . Gas meters .

14:53:45 25 Q. Do you know Luther Henry?

14:53:52 1 A. Luther Henry . Boy , that sounds
14:53:55 2 familiar . Can't place him .

14:53:57 3 Q. Do you know a materials and
14:54:17 4 supplies group that was once at DP&L at the
14:54:20 5 service building ?

14:54:20 6 A. No .

14:54:25 7 Q. Do you -- do you associate Luther
14:54:28 8 Henry with the stores department ?

14:54:29 9 A. I think so , but I don't -- I
14:54:35 10 wouldn't swear to it .

14:54:36 11 Q. William Peters ?

14:54:46 12 A. Bill Peters , yes .

14:54:47 13 Q. We talked about him already ,
14:54:50 14 right ?

14:54:50 15 A. Yes .

14:54:51 16 Q. What about Wesley Aymette ,
14:54:53 17 A Y N E T T -- A Y M E T T E ?

14:54:59 18 A. Aymette .

14:55:01 19 Q. Wesley Aymette .

14:55:05 20 A. I had very little contact with
14:55:07 21 him . I knew him .

14:55:07 22 Q. What was his position ?

14:55:09 23 A. He was in the service center in
14:55:17 24 Fairborn .

14:55:17 25 Q. What about Charles Warner ?

14:55:19 1 A. Charles Warner ? Yes , I know him.

14:55:23 2 Q. Who was Charles Warner ?

14:55:24 3 A. He was -- I don't know if he was a

14:55:30 4 supervisor or foreman over the transformer --

14:55:33 5 not the transformer , but the regulator

14:55:35 6 department , gas regulator department .

14:55:38 7 Q. Do you know if he's still alive ?

14:55:39 8 A. Yes .

14:55:40 9 Q. How do you know that he's still

14:55:41 10 alive ?

14:55:42 11 A. Do you really want to know ?

14:55:45 12 Q. Yeah .

14:55:46 13 A. Well , we have an Austin Healey

14:55:51 14 Club, and he and I belong to the Austin Healey

14:55:58 15 Club.

14:55:58 16 Q. Is he retired ?

14:55:59 17 A. Yes .

14:55:59 18 Q. Where does he live ?

14:56:02 19 A. Someplace in Huber Heights . I

14:56:05 20 used to know , but then he moved after I

14:56:08 21 retired . So he's still in Huber Heights .

14:56:09 22 Q. What about Stan Brauer ?

14:56:15 23 A. I know the name , but I can't place

14:56:25 24 it. He was in charge of -- not in charge of --

14:56:30 25 but he did a lot of the building maintenance .

14:56:32 1 Q. At the service building ?

14:56:34 2 A. Yes .

14:56:34 3 Q. Is he still employed by DP&L ?

14:56:40 4 A. No .

14:56:40 5 Q. Retired ?

14:56:41 6 A. Yes .

14:56:41 7 Q. Still alive ?

14:56:42 8 A. I don't think so . He passed away
14:56:44 9 recently .

14:56:45 10 Q. And what about Don Supinger ?

14:56:50 11 A. He was -- he was some kind of a
14:56:56 12 supervisor over the storeroom . Then he got let
14:57:03 13 go for some problems .

14:57:04 14 Q. Uh-huh . Do you know if he's still
14:57:06 15 alive ?

14:57:07 16 A. As far as I know , yes .

14:57:08 17 Q. Do you have any contact with him ?

14:57:08 18 A. No .

14:57:18 19 Q. And do you know what kind of
14:57:19 20 problems he had ?

14:57:19 21 A. I couldn't tell you . I don't
14:57:21 22 know . I just know that he was let go .

14:57:26 23 MR. CAMPBELL: Can you spell Supinger
14:57:29 24 for us ?

14:57:30 25 MR. SILVER: Yes . I think I can .

14:57:31 1 S U P I N G E R.

14:57:35 2 THE WITNESS: Supinger . His brother
14:57:37 3 worked with me .

14:57:38 4 Q. Oh, really ?

14:57:39 5 A. Yeah .

14:57:40 6 Q. In the meter department ?

14:57:41 7 A. Inspection department .

14:57:42 8 Q. Oh, the inspection department .

14:57:45 9 A. Yeah . He passed away recently .

14:58:11 10 MR. SILVER: Okay . I'm going to take
14:58:13 11 about five minutes and see if I have any more
14:58:15 12 questions .

14:58:17 13 (Thereupon, a break was had.)

15:03:56 14 Q. Just a few more questions , Ed.

15:03:59 15 Did the meter department , whenever you were a
15:04:02 16 supervisor , ever sandblast gas meters to clean
15:04:06 17 and rebuild them ?

15:04:07 18 A. When I was supervisor ?

15:04:09 19 Q. Yes.

15:04:09 20 A. No .

15:04:09 21 Q. Was that done prior to when you
15:04:11 22 were supervisor , to your knowledge ?

15:04:13 23 A. Yes .

15:04:13 24 Q. Why the change ? Why -- you know ,
15:04:16 25 why was it done , and why not when you were

15:04:19 1 supervisor ?

15:04:20 2 A. Well , when they removed the paint
15:04:25 3 booth from the meter shop , you know , used to
15:04:31 4 sandblast the meter , clean it , then paint it ,
15:04:33 5 and then put it back in service .

15:04:35 6 Q. So that was done elsewhere then ;
15:04:38 7 is that it ?

15:04:38 8 A. Right .

15:04:39 9 Q. Transformer shop paint booth ?

15:04:41 10 A. We had one in the shop , but there
15:04:46 11 was a gas meter shop and the electric meter
15:04:48 12 shop and then technical service was there . And
15:04:53 13 we didn't use it . But electric meter and the
15:04:59 14 test department used it on occasions .

15:05:02 15 Q. Used the --

15:05:05 16 A. Wheel abrator or sandblaster .
15:05:10 17 That's what it was called , wheel abrator , or was
15:05:12 18 the name of it .

15:05:13 19 Q. Why did the electric meter shop
15:05:16 20 use it , same thing , cleaning ?

15:05:17 21 A. Cleaning .

15:05:18 22 Q. Before painting , repainting ?

15:05:20 23 A. Before -- well , I'm not exactly
15:05:27 24 sure , but I know that they run some parts
15:05:30 25 through there , then they put them over in the

15:05:33 1 paint shop to be painted , yes .

15:05:34 2 Q. And the paint shop was in
15:05:37 3 transformer ?

15:05:38 4 A. Yes .

15:05:39 5 Q. And what color did the electric
15:05:43 6 meters get painted , same ?

15:05:44 7 A. Gray .

15:05:45 8 Q. Battle ship gray ?

15:05:47 9 A. Pretty much . That's what
15:05:50 10 everything in the company was .

15:05:50 11 Q. And you mentioned another
15:05:54 12 department using the wheel abrator . I missed
15:05:56 13 that .

15:05:57 14 A. Test department .

15:05:58 15 Q. Why did -- how did the test
15:06:01 16 department use the wheel abrator ?

15:06:03 17 A. For parts that were part of
15:06:07 18 switching gear and things .

15:06:09 19 Q. What generally did the test
15:06:12 20 department do ?

15:06:13 21 A. I can't tell you everything . I
15:06:16 22 don't know . I just know that they went out and
15:06:20 23 they went to substations and did testing ,
15:06:24 24 tested breakers and everything and made sure
15:06:27 25 they worked right .

15:06:28 1 Q. Test department would bring parts
15:06:31 2 back ?

15:06:31 3 A. Sometimes , yes .

15:06:32 4 Q. For -- and then use the
15:06:35 5 wheel abrator on occasion ?

15:06:37 6 A. On occasions , yeah .

15:06:39 7 Q. And painting as well ?

15:06:42 8 A. They painted -- went to the
15:06:44 9 transformer shop to be painted .

15:06:45 10 Q. Where was the -- if you go back to
15:06:49 11 Exhibit 1 , show me where the electric meter
15:06:53 12 shop was and the test -- test department . Put
15:06:59 13 EM for electric meter . He's doing it in red on
15:07:03 14 Exhibit 1 .

15:07:04 15 A. EM was right there (indicating) .

15:07:09 16 MS. BAIRD: Larry , can you speak up
15:07:10 17 on the end of your questions ? You're kind of
15:07:13 18 trailing off a bit .

15:07:14 19 MR. SILVER: Yeah . I asked Ed to
15:07:17 20 mark the electric meter shop on Exhibit 1 as EM,
15:07:20 21 which he did in blue ink .

15:07:22 22 Q. And then --

15:07:24 23 A. In red ink .

15:07:24 24 Q. I'm sorry . In red ink . And then
15:07:30 25 the test shop ?

15:07:31 1 A. Was right next door .

15:07:34 2 Q. Next door to what ?

15:07:36 3 A. To the electric meter .

15:07:38 4 Q. Why don't you put an arrow and T

15:07:42 5 next to the circle that you marked , the test

15:07:45 6 shop . Try TE .

15:07:49 7 A. How about T ES?

15:07:52 8 Q. TES works for me .

15:07:52 9 A. (Witness complies with request.)

15:07:55 10 Q. Draw an arrow to that circle ?

15:07:59 11 A. (Witness complies with request.)

15:08:00 12 Okay .

15:08:00 13 Q. Were ever the electric meter or

15:08:04 14 test shop on the west dock ?

15:08:04 15 A. No .

15:08:11 16 Q. Neither of them were on the west

15:08:12 17 dock ?

15:08:12 18 A. No .

15:08:13 19 Q. Okay . I'll take that as a no .

15:08:19 20 Then I had a question about the machine shop .

15:08:23 21 Are you familiar with a machine shop ever

15:08:27 22 having been at the service building ?

15:08:29 23 A. That was part of the blacksmith

15:08:34 24 shop .

15:08:35 25 Q. And did that disappear at some

15:08:37 1 point ?

15:08:37 2 A. Yes .

15:08:38 3 Q. Why ?

15:08:38 4 A. Basically the same time . They

15:08:41 5 just contracted it out . It was a top

15:08:45 6 management decision .

15:08:46 7 Q. How many employees were in the

15:08:48 8 machine shop before it got contracted out ?

15:08:51 9 A. Two that I know of .

15:08:55 10 Q. What sort of equipment did they

15:08:56 11 have in the machine shop ?

15:08:58 12 A. One of the big things is they had

15:09:01 13 a big lathe . Then they had pipe cutters where

15:09:05 14 they would cut large pipe , you know , get it

15:09:09 15 ready for welding .

15:09:10 16 Q. Uh-huh . Who were the two that

15:09:12 17 worked in the machine shop ?

15:09:13 18 A. The only one I can tell you about

15:09:15 19 is a Bob Weber . Was it Weber ? Yes . Bob

15:09:23 20 Weber .

15:09:23 21 Q. Is Bob Weber still alive ?

15:09:26 22 A. As far as I know , yes .

15:09:28 23 Q. Do you know where he lives ?

15:09:30 24 A. Somewhere either Troy or Piqua .

15:09:43 25 MR. SILVER: Okay . I believe that is

15:09:45 1 all I have . I will pass the witness to anyone
15:09:48 2 else who wants to ask questions . Thank you very
15:09:50 3 much , Ed .

15:09:52 4 THE WITNESS: Thank you .

15:09:52 5 MR. CAMPBELL: No questions for DP&L .

15:09:56 6 MR. THUMANN: No questions for
15:09:57 7 Franklin Iron & Metal Corporation .

15:10:02 8 MS. SMARDA: No questions for Cox
15:10:03 9 Media .

15:10:04 10 MS. BAIRD: No questions for
15:10:06 11 Pharmacia, LLC .

15:10:08 12 MR. HARBECK: No questions here for
15:10:10 13 Waste Management of Ohio .

15:10:12 14 MR. NES: No questions for
15:10:16 15 P-America s .

15:10:17 16 MR. SILVER: Okay . That pretty much
15:10:18 17 does it . You're free to go .

15:10:18 18 (Thereupon, an off-the-record
15:10:18 19 discussion was had.)

15:10:23 20 (Thereupon, signature was waived.)

15:10:23 21 (Thereupon, the deposition was
15:11:00 22 concluded at 3:10 p.m.)

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1 STATE OF OHIO)

2 COUNTY OF MONTGOMERY) SS: CERTIFICATE

3 I, Michelle A. Elam, a Notary

4 Public within and for the State of Ohio, duly
5 commissioned and qualified,

6 DO HEREBY CERTIFY that the
7 above-named EDWARD L. JENKINS, was by me first
8 duly sworn to testify the truth, the whole truth
9 and nothing but the truth.

10 Said testimony was reduced to
11 writing by me stenographically in the presence
12 of the witness and thereafter reduced to
13 typewriting.

14 I FURTHER CERTIFY that I am not a
15 relative or Attorney of either party, in any
16 manner interested in the event of this action,
17 nor am I, or the court reporting firm with which
18 I am affiliated, under a contract as defined in
19 Civil Rule 28(D).

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1 IN WITNESS WHEREOF, I have hereunto set
2 my hand and seal of office at Dayton, Ohio, on
3 this _____ day of _____, 2013.

4
5
6 _____
MICHELLE A. ELAM
7 NOTARY PUBLIC, STATE OF OHIO
8 My commission expires 5-2-2015
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